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Tuesday, November 28, 1978
Agrahayana 7, 1900(Saka)

LOK SABHA DEBATES

Sixth Session



सत्यमेव जयते

LOK SABHA SECRETARIAT
New Delhi

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LOK SABHA

Tuesday, November 28, 1978/Agrahayana, 1900 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Passenger Trains suspended for Shortage of Coal

†*121. SHRI MEETHA LAL PATEL: Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) the total number of passenger trains suspended in the country at present on account of the shortage of coal and whether a list thereof, State-wise and zone-wise will be laid on the Table of the House;

(b) whether it is a fact that most of these suspended trains are those passenger trains which stop at small stations and if so, the reasons therefor and the number of passenger and express trains out of the total suspended trains, separately;

(c) whether Agra Fort-Kota passenger train, is also one of the suspended trains, in the absence of which no passenger train is available in day time at many stations falling in between and if so, the reasons therefor; and

(d) whether in order to resolve the aforesaid problem, Government propose to resume the suspended trains and if so, by what time and if not, the reasons therefor?

3149—LS 1.

रेल मंत्री (श्री० मधु बंडोपत) : (क)

और (ख). एक विवरण सभा-घटल पर रद्द दिया गया है, जिसमें रद्द की गयी गाँवों की जोनवार संख्या बतायी गयी है। रद्द की गयी गाड़ियों की राज्यवार सूची रेलों द्वारा नहीं बनायी जाती। गाड़ियों को रद्द करते समय, विभिन्न खण्डों पर यातायात के घनत्व का मूल्यांकन किया जाता है। केवल वे ही गाड़ियाँ रद्द की जाती हैं जिनमें कम यात्री यात्रा करते हैं और जहाँ वैकल्पिक सेवाएं उपलब्ध होती हैं, ताकि यात्रियों को कम से कम असुविधा हो।

(ग) 83/84 सवारी गाड़ी, जिसे कोयले की कमी के कारण रद्द कर दिया गया था, धानरा छोटे और बयाना के बीच 21-7-78 से आंशिक रूप से और अपने सम्पूर्ण चालन-क्षेत्र पर 30-10-78 से पूर्ण रूप से चला दी गयी है।

(घ) जो गाड़ियाँ कोयले की कमी के कारण रद्द की गयी हैं, कोयले के स्टॉक की स्थिति में सुधार होते ही उन्हें पुनः चला दिया जायेगा।

विवरण

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उत्तर	2	59
पूर्वोत्तर	1	—
पूर्वोत्तर सीमा	—	2
दक्षिण	—	2
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—	—	1
2	13	76
—	46	48
—	—	2
2	50	54
—	1	6
—	—	9
—	15	17
4	126	213

श्री श्रीधरलाल पटेल : माननीय मंत्री जी ने अपने उत्तर के (क) और (ख) भाग में बतलाया है कि गाड़ियों को रद्द करते समय विभिन्न खण्डों पर यातायात के घनत्व का मूल्यांकन किया जाता है। केवल वे ही गाड़ियाँ रद्द की जाती हैं जिन में कम यात्री यात्रा करते हैं। "यह बात बिल्कुल गलत है। छोटे स्टेशनों पर सुबह से शाम तक कोई गाड़ी नहीं मिलती है, विशेषकर उन गाड़ियों को बन्द किया गया है जो गांवों के छोटे स्टेशनों पर रुकती थी। आप के विवरण के अनुसार जिन 213 गाड़ियों को बन्द किया गया है, उन में केवल 9 गाड़ियाँ ऐसी हैं जो एक्सप्रेस हैं। बाकी गाड़ियाँ सब छोटे स्टेशनों पर चलने वाली बंद की हैं। आप एक्सप्रेस गाड़ियों को क्यों नहीं रोकते बजाये छोटे स्टेशनों पर चलने वाली गाड़ियों के? इस से छोटे स्टेशनों से जो यात्री सफर करते हैं, उनको ही सारा नुकसान होता है। आप बड़े आदमियों की गाड़ियाँ क्यों नहीं बंद करते?

प्रो० मधु दंडवते : मान्यवर, यहां बड़े और छोटे का सवाल नहीं है। अगर ट्रंक रूट पर, सेन रूट पर गाड़ियाँ बन्द करनी शुरू कर देंगे तो जो कमोडिटीज का यातायात होता है, वह यातायात बंद हो जाएगा और जो स्टील इंडस्ट्रीज हैं या और इंडस्ट्रीज हैं, उनको तकलीफ हो जाएगी और इस में बेरोजगारी हो जाएगी। इन सब बातों का ध्यान कर के ही, जहां यातायात कम है, डेमिड कम है, वहां हम यह करते हैं जिस से कि कम से कम लोगों को असुविधा हो।

मैं माननीय सदस्य को बताना चाहता हूँ कि एनर्जी मिनिस्ट्री ने हमें बताया है कि जनवरी तक स्टीम कोल को मरलाई—जो कम हुई है—ठीक हो जाएगी और उस के बाद जो गाड़ियाँ बंद हुई हैं वे सब शुरू हो जाएगी।

श्री श्रीधरलाल पटेल : आप एक्सप्रेस गाड़ियों को कोयले की कमी की वजह से डीजल इंजन से चला रहे हैं। आप उन गाड़ियों में डीजल इंजन बढ़ाते जा रहे हैं क्योंकि डीजल इंजन की काफी संख्या आपके पास है। कोयले की कमी की वजह से जो गाड़ियाँ

आप बंद कर चुके हैं क्या उनको डीजल इंजन से चलाने की व्यवस्था करेंगे ?

दूसरे मैं यह जानना चाहता हूँ कि ये जो 213 गाड़ियाँ आपने बंद कर रखी हैं, क्या आपकी धारणा इन गाड़ियों को ह्यूमि रूप से बंद करने की नहीं है, कोयले की कमी तो बहाना मात्र है? कोयला विभाग आप से कहता है कि बैगनों की कमी के कारण वह कोयला पर्याप्त रूप से नहीं भेज रहा है और आप कहते हैं कि कोयला नहीं मिल रहा है।

प्रो० मधु दंडवते : मान्यवर डीजल इंजनों के बारे में मैं कई मर्तबा इस सदन को बता चुका हूँ कि डीजल इंजनों की कमी होने के कारण हम लोगों की प्राथमिकता तय करनी पड़ती है। माल का यातायात महत्वपूर्ण है क्योंकि कि उसका ताल्लुक इंडस्ट्रीज से होता है। मैं फिर से माननीय सदस्य को बताना चाहता हूँ कि हमारे पास 8,263 स्टीम इंजन हैं 1,900 डीजल इंजन हैं और 844 इलेक्ट्रिक इंजन हैं। हम ने इनका बंटवारा इस प्रकार से किया है—60 परसेंट पैसेंजर ट्रेफिक स्टीम इंजन से चलता है, 20 परसेंट डीजल इंजन से चलता है और 20 परसेंट इलेक्ट्रिक ट्रेस से चलता है। जहां तक गुड्स ट्रेफिक का ताल्लुक है, वह 22 परसेंट हम लोगों को स्टीम इंजन से चलाना पड़ता है, 54 परसेंट हम डीजल इंजन से चलाते हैं और 24 परसेंट इलेक्ट्रिक से चलाते हैं।

आखिर में मैं उनको बताऊँ, जैसा कि उन्होंने कहा कि हम कोयले की कमी का बहाना बना कर गाड़ियाँ बंद कर रहे हैं, गाड़ियाँ बंद करने से हम को क्या फायदा है? हम तो मचमुच में ज्यादा आमदनी चाहते हैं, ज्यादा यातायात चाहते हैं और ज्यादा पैसेंजर्स चाहते हैं।

MR. SPEAKER: The answer need not be equally as long as the question.

PROF. MADHU DANDAVATE: He has asked the question. Let him, sit down and let him be satisfied himself. I am telling that today our position is such that because of that shortfall we are getting about 4000 tonnes less per day and whenever this is restored, the trains will be restored.

SHRI MOHD. SHAFI QURESHI: Sir, there is a ding-dong battle going on between the Ministry of Energy and the Ministry of Railways. The Ministry of Energy says that they have plenty of coal. The Railways say that they have not been able to take coal....

MR. SPEAKER: There is contradiction.

SHRI MOHD. SHAFI QURESHI: Sir, I would like to know from the hon. Minister—there are 9 Railway zones—what is the normal inventory of coal

of each zonal railway? How many days' stock is kept in each Railway? What is the staff position today?

PROF. MADHU DANDAVATE: Sir, he has asked a specific question and I will give specific answer. I will give the position zone-wise regarding the exact requirement of wagon loads per day availability per day and the shortfall.

I am giving you the description of coal in terms of wagons

Month	in BC 4 wheelers per day		
	Require- ment	Loading	Shortfall
April	1600	1533	67
May	1600	1463	137
June	1600	1388	212
July	1600	1466	134
August	1600	1475	125
September	1600	1412	188
October (Maximum)	1600	1349	251

Only upto 8th November, the requirement was 1600 and 1471 wagons were available per day. Therefore, the shortfall is going down. By January, it will be all right.

श्री डी० एन० तिवारी : मंत्री जी ने बताया है कि कोयले की कमी के कारण बहुत सी गाड़ियां बंद करनी पड़ी हैं। उनका खर्चा बराबर लगता ही होगा। मैं जानना चाहता हूँ कि इन गाड़ियों के बन्द होने से कितना लाभ हुआ और अन्त में कैसे वह इसको मेक अप करेंगे ?

श्री मधु दण्डवते : पिछले दिनों जो ट्रेज कैसल हुई हैं इसकी वजह से 2.9 करोड़ का नुकसान हुआ है। मैं बता चुका हूँ कि टोटल 213 ट्रेज जिसमें एसप्रेस और पैसेंजर भी हैं बन्द करनी पड़ी हैं। उम्मीद है कि

जनवरी तक शायद सब ठीक हो जाए क्यों कि एनर्जी मिनिस्टर ने इसका आश्वासन दिया है। उनमें और हम में कोई झगड़ा नहीं है। उन्होंने कहा है कि कोयल एवेलेबल है। लेकिन वह स्लेक कोयल है। स्टीम कोयल के बारे में एनर्जी मिनिस्टर ने भी माना है कि उसकी कमी है। आज हालत ऐसी है कि 2.6 डज का स्टॉक सिर्फ हमारे पास है।

Reserve of Crude Oil Gas and Petroleum Products

*122. **SHRI MANORANJAN BHAKTA:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have recently made an assessment about the

country's resources and reserves of crude oil, gas and other petroleum products;

(b) if so, the details thereof;

(c) to what extent the country is nearing self-sufficiency in petroleum products; and

(d) what avenues are being explored to attain the same?

THE MINISTRY OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Yes, Sir.

(b) The balance recoverable reserves of oil and gas fields discovered by the Oil and Natural Gas Commission and Oil India Ltd., as on 1st January 1978 are as under:—

	Oil (Million Tonnes)	Gas (Billion cubic metres)
Oil & Natural Gas Commission	275.00	184.00
Oil India Ltd.	33.46	53.98

(c) and (d). Even though the domestic production of oil in the country has increased during the last few years, the consumption of petroleum products has also gone up with the result that a considerable gap still exists between domestic production and consumption.

With a view to increasing indigenous production, intensive efforts are being made both on-shore and off-shore for locating additional oil and gas reserves.

It is envisaged that the indigenous production of crude oil would go up to approximately 18 million tonnes by

1982-83 as against an anticipated requirement of about 36-37 million tonnes.

Whereas self-sufficiency continues to be the target of Government and intensive efforts are being made to locate additional hydrocarbon reserves, it is difficult to say when it is likely to be achieved.

SHRI MANORANJAN BHAKTA: Mr. Speaker, Sir, the hon. Minister has not given details of the assessment in his reply. He has stated that "even though the domestic production of oil in the country has increased during the last few years, the consumption of petroleum products has also gone up with the result that a considerable gap still exists between domestic production and consumption". He has not indicated what is the gap.

MR. SPEAKER: He has said that.

SHRI MANORANJAN BHAKTA: In the first part of the question, he has stated that "even though the domestic production of oil in the country has increased during the last few years, the consumption of petroleum products has also gone up with the result that a considerable gap still exist". What is the present gap, he has not indicated. What measures the Government has taken to meet this gap in areas like Andaman and Nicobar Islands and other places? They were working for the last five or six years.

I understand now this has been minimised. So, I want to know categorically from the Minister what are the measures taken to meet this gap?

SHRI H. N. BAHUGUNA: In the year 1978-79 we will be producing 12 million tonnes of crude—between the various organisations i.e. O.N.G.C. and Oil India Limited, from all their fields. The demand would be 28 million tonnes i.e. it leaves a gap of about 16 million tonnes.

In the year 1979-80 we will produce 13,148 million tonnes projected demand is 30 million tonnes, in the year

1980-81 we will produce 14.945 million tonnes and the projected demand is 33 million tonnes. In 1981-82 the total production will be 17.94 million tonnes, the demand will be 35.18 million tonnes. In 1982-83 the production will be 18 million tonnes. but the demand will be 37.94 million tonnes.

Now the hon. member has asked as to what are the steps that we are taking to locate more oil. We are doing intensive exploration for oil both on-shore and off-shore and from the coast of Saurashtra right down to Andamans, we propose to look at every basin and try to find out more and more oil.

SHRI MANORANJAN BHAKTA: We are all aware that there is acute shortage of cooking gas throughout the country and we have seen (I have been to Assam recently) in large areas of Assam natural gas is burnt and continuously the gases have been burnt. Is Government trying to tap this natural gas to meet the requirement of our countrymen instead of wasting this gas?

SHRI H. N. BAHUGUNA: In the process of production of oil, associated gas also comes up. In some areas some of it was being used and some of it was being flared. Government have decided to put up a fertilizer plant to make use of this gas by adding on 600 metric tonnes capacity to the fertilizer plant in Namrup.

The question of tapping L.P.G. from out of gas so coming up is under active consideration.

SHRI YADVENDRA DUTT: According to the information supplied just now by the hon. Minister, it looks that we are having a periodic, I should say, chronic deficit in petroleum products which affects our industry and agriculture. To meet this deficit, I would like to know what steps he has taken for importing oil and oil products from Brunei, Brazil and Mexico because in Iran they are

having trouble and probably his imports may cut down. So, to meet this deficit, is he in contact.....

MR. SPEAKER: Last week this particular question was asked and it was answered. They have got it from Iraq and Iran. I think we should avoid asking the same question.

SHRI YADVENDRA DUTT: Is he prepared to get into contact with Brunei, Mexico and Brazil to import oil and oil products to meet this deficit in the country?

SHRI H. N. BAHUGUNA: I thank the hon. member for the suggestion. We are trying to find it nearer home. But in case we find it difficult, we might have to go to any part of the world to meet our requirements.

SHRI VINODBHAI B. SHETH: With the threat of increase in price of oil by OPEC countries and also with the depletion in the mines of coal near Madhya Pradesh and other areas, will the Minister look into the geographical areas, particularly off-shore and on-shore and in Gujarat and Bombay High to see that this exploration gets top priority in the country as all the industrial activities depend upon this energy, and will the Minister satisfy the House that double standards for supply of oil and gas are not adopted in Maharashtra and Gujarat?

SHRI H. N. BAHUGUNA: I must in all humility say that there have been no doubt standards of any kind with regard to any State in the matter of supplied made of oil or oil products. So far as the question of aggressive finding of oil is concerned, I have already said that from the gulf of Kutch i.e., Saurashtra area right upto Andaman and the Bombay High, we are looking into the whole question very intensively.

Prices of Boric Acid

*123. SHRI MUKHTIAR SINGH MALIK;

SHRI G. M. BANATWALLA:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the production price of Boric Acid is about Rs. 235/-per bag of 50 Kg.;

(b) if so, whether it is also a fact that the market price of this product is Rs. 600/-per bag of 50 Kg.;

(c) if so what are the reasons thereof; and

(d) the steps taken or proposed to be taken to bring down the prices of Boric Acid and that it is available at cheap rates?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (d). A statement is laid on the Table of the House.

(a) to (d). M/s. Borax Morarji have reported following as the manufacturer's prices of technical grades of Boric Acid (which are not subject to price control). They have also reported that all direct purchasers are being charged only these prices.

(Rs. per tonne)

BORIC ACID	From	From	From
	1-4-77 to 22-10-77	23-10-77	1-11-78
Granular (Tech.)	5450.00	5150.00	5050.00
Powder (Tech.)	5750.00	5450.00	6130.00
Crystal (Tech.)	5950.00	5650.00	6330.00

High prices of Rs. 580 to Rs. 600 per 50 Kgs of Boric Acid have been recently reported in the newspapers and the manufacturer has been asked for a report thereon.

SHRI MUKHTIAR SINGH MALIK: The statement laid on the Table by the Minister, does not lead us anywhere. The reply is quite vague and the statement is ambiguous. There are four parts of the question and the statement does not meet the requirements of any part of the question. The Minister has given us only the manufacturer's price of boric acid and nothing more than that.

MR. SPEAKER: The reply is not specific, I agree.

SHRI MUKHTIAR SINGH MALIK: Part (b) of the question has not been

replied. I think, you please ask the Minister to lay a statement on the Table of the House giving a full reply to the question.

MR. SPEAKER: I think he will elaborate it in the answer.

SHRI MUKHTIAR SINGH MALIK: I ask the Minister whether the Government themselves have received any complaint from any of the consumers or from the public about the prevailing high prices of boric acid? What is the difference between the manufacturer's price and the prevailing high market prices?

SHRI H. N. BAHUGUNA: The first thing that I would like to submit is that the hon. Member had asked whether the production price of boric acid was Rs. 235, to that I have given

a full view of the thing. Boric acid (technical grade) has three types—a granular, powder and crystal. I have said that these are the prices because these are not our prices. We have no price control. Since we have no price control, the price is determined by the manufacturer in the same way as it is determined on any commodity which is not governed under a price regulation. Therefore, we have also said that high prices of Rs. 580 to Rs. 600 per 50 kgs. of boric acid have been recently reported in the newspapers and the manufacturer has been asked for a report thereon. My difficulty is that in the case of boric acid, I have no hand in determining the price. Therefore, I cannot do anything except this that if it is found out after this enquiry that there is a malpractice, we will see that steps are taken to bring the prices to a proper level. Therefore, the question is fully answered in my statement.

So far as this question of boric acid is concerned, I have got figures of prices from 1966 till todate. At different points of time, the granular, powder and crystal prices have been going up from 2316 in 1966 to 4550 in 1976-77 and to 5450 in 1978.

SHRI MUKHTIAR SINGH MALIK: Even now it is very unfortunate that the Minister has not given full information about it.

It is very unfortunate that the Government has got no information and no control. The source from which he gets all this information is newspapers only. That is very unfortunate. The Minister should have known what is the manufacturer's price and what is the market price and why is the consumer being exploited like that? In view of all this, I would like to ask the Minister whether he would like to bring this under the control of the Government or not?

SHRI H. N. BAHUGUNA: I do not propose to Control every chemical that is used in this country.

श्रीधरजी बलवीर सिंह : मंत्री महोदय ने कहा है कि सरकार प्राइस कंट्रोल नहीं करना चाहती है। लेकिन क्या सरकार कोई ऐसी पालिसी बनायेगी, या आर्बंर देगी, कि कोई कम्पनी एक खास हद से ज्यादा प्राफिट न ले सके ?

श्री हेमवती नन्वन बहुगुणा : बहुत बाजिब राय है, लेकिन फ़िनांस डिपार्टमेंट इनकम टैक्स मशीनरी के जरिये प्राफिट्स को रेगुलेट करता रहता है।

SHRI DHIRENDRANATH BASU: The hon. Minister has just replied that if there is malpractice then he will look into the matter and take steps. The market price is 200 per cent higher than the production price. Should the dealers indulge in such malpractice? Is it not a malpractice? He should check the rising of price and Control it.

SHRI H. N. BAHUGUNA: As I submitted earlier, the price control not being existent there and this Ministry having no field organisation whatsoever, we never do it, we depend on these price regulations on the advice of the State Governments or their various agencies. The simple point is that the prices have gone up, certainly not 600 times. On that I do not agree with him. But they have gone up to the extent indicated per bag High price of Rs. 550 to Rs. 600 for 50 kg. is being charged which would be about 100 per cent more or 150 per cent more than the actual price, which should be charged as indicated by the manufacturers. The manufacturer appoints his agents to distribute this, to sell this and we are taking up with the manufacturer to see that he manages his market and the market does not go the way it likes.

Non-Utilisation of Rumanian Drilling Rigs

*124. **SHRIMATI AHILYA P. RANGNEKAR:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state::

(a) whether he is aware that 6 high Power Rumanian drilling rigs were

being kept idle in Western Region of Oil and Natural Gas Commission for want of proper locations during 1976-77; and

(b) if so, why some of those rigs could not be deployed for deep drilling in the Gangetic basin area in West Bengal?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) No, Sir. It is not a fact.

(b) Does not arise.

SHRIMATI AHILYA P. RANGNEKAR: He has replied that the question does not arise. I would like to ask the Minister as to where and in which region these rigs have been located during 1976-77. He has replied that they are not lying idle. I would like to know where they have been utilized and in which region, during 1976-77.

SHRI H. N. BAHUGUNA: Eastern Region—9, Western Region—1.

These are different types of rigs. If I were to go into the whole thing, then there is Record 3D, 5D, C, 340. I am merely giving you all types.

Western Region—9, rigs of particular type.

Eastern Region—9, Western Region 1, Western Region again 8 of another type, Western Region yet 2 of another type and Central Region 1 at Jwalamukhi, Tanzania 1, Iraq 1, Iran 1, Western Region another type one more, Eastern Region one more in Diamond Harbour, One at Piliphit in the central region, Eastern Region at Grijalia.

Western Region one of another type, Eastern Region four of another type, Eastern region, one of another type. In this manner we have all the rigs.

SHRIMATI AHILYA P. RANGNEKAR: I have asked question about the six high power Rumanian Rigs.

MR. SPEAKER: He says there are different types of Rumanian rigs.

How much high power....

SHRIMATI AHILYA P. RANGNEKAR: Instead of six, I think he can produce 15.

MR. SPEAKER: Where are high power rigs located? Are you aware?

SHRI H. N. BAHUGUNA: Sir, if the hon. Member is talking about the rigs which have been written off, that means which have more than 20 years of life, then I am sure those rigs are really standing idle because they cannot be worked. They have been written off. Their number is about 19.

SHRI PURNANARAYAN SINHA: May I know from the hon. Minister whether prospecting of crude in the eastern region has been suspended?

MR. SPEAKER: That does not arise. We are on rigs.

SHRI PURNANARAYAN SINHA: Rigs are not being used. The question arises from the supply of rigs which are not useful for the eastern region and supply of powerful rigs to western and other regions. From that point of view I ask this question.

MR. SPEAKER: That does not arise

SHRI CHITTA BASU: May I know from the hon. Minister whether it is a fact that in West Bengal, particularly at the sites of Bodra, and Bakultala, the work could not be completed, that is, they could not reach the oil horizon because of the inefficiency of the rigs and the drilling operations in West Bengal...

MR. SPEAKER: Are you referring to the Rumanian rigs?

SHRI CHITTA BASU: I am coming to that.

MR. SPEAKER: You come to that. The question is only about Rumanian rigs.

SHRI CHITTA BASU: I am coming to Rumanian rigs. Because of the lack of high power rigs, the drilling operations in West Bengal could not reach the optimum level. May I know whether these Rumanian high power rigs were made available in the case of these sites, namely, Bodra, Bakultala and Diamond Harbour now in drilling operation?

SHRI H. N. BAHUGUNA: In the eastern region including Assam, Tripura and West Bengal, the ONGC has deployed 16 rigs. They are at work today. There have been some problems with regard to drilling in the areas referred to by the hon. Member. The basin has been rather a difficult one to tackle and rigs have caused some problems, but we have already overcome those difficulties and the rigs will reach the oil horizon indicated in the exploration chart.

दिल्ली तथा निकटवर्ती स्टेशनों के बीच चलने वाली रेल गाड़ियों में जुआ

* 125. श्री एम० एम० सोमानी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि दिल्ली, मेरठ, हापड़, दनकौर और रोहतक के बीच चलने वाली स्थानीय रेल गाड़ियों में जुआ खेलने, गुण्डागर्दी करने तथा महिलाओं को छेड़ने की घटनाओं में निरन्तर वृद्धि हो रही है तथा रेलवे सुरक्षा कर्मचारी इसे रोकने में असफल हैं,

(ख) यदि हाँ, तो स्थिति का मुकाबला करने के लिये सरकार द्वारा क्या कदम उठाये जा रहे हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण)
(क) और (ख). ऐसी घटनाओं में कोई विशेष वृद्धि नहीं हुई है। फिर भी, प्रभावित गाड़ियों में सरकारी रेलवे पुलिस के कर्मचारी तैनात किये जाते हैं और रेलवे सुरक्षा दल के कर्मचारी भी यात्रियों की सहायता करते हैं। स्टेशनों पर और गाड़ियों में समाज-विरोधी तत्वों के विरुद्ध सरकारी रेलवे पुलिस, रेलवे सुरक्षा दल और वाणिज्यिक कर्मचारियों द्वारा संयुक्त रूप से छापे भी मारे जाते हैं।

श्री एस० एस० सोमानी : माननीय मंत्री जी ने जो जवाब दिया है उससे प्रमाणित है कि विशेष वृद्धि नहीं हुई है परन्तु वृद्धि हुई है और जो रिपोर्ट है वह बिल्कुल हमरा पक्ष प्रस्तुत करती है। टाइम्स आफ इंडिया में 16 जुलाई को बताया गया था कि पांच महीने के अन्दर 41 मई, 45 डकैटोड और 113

राबरीज हुई हैं। स्टेट्समैन, नई दिल्ली ने 1-11-78 को "दैन राबरीज रनिंग हुई" की रिपोर्ट दी है। मैं जानना चाहता हूँ कि और भी एक और जो और भी तो है लेकिन इनके अलावा भी कोई और ऐसी लगाकर क्या इस प्रकार की घटनाओं से हो रही बढ़ि को रोकने का प्रयास किया जायेगा ?

श्री शिव नारायण : जो और भी और और भी एक दोनों ही इस काम में लगी हुई हैं, चेकिंग हो रही है और घटनाएं कुछ कम हुई हैं।

श्री एस० एस० सोमानी : अध्यक्ष महोदय, जहाँ तक इन के जी० आर० पी० का सवाल है, मैं केवल एक उदाहरण देकर इस हाउस से यह निवेदन करना चाहता हूँ कि इस देश में जी० आर० पी० किस प्रकार से काम कर रही है। मैं माननीय मंत्री जी का ध्यान एक० आई० आर० सं० 340 ता० 14-11-78 की तरफ दिलाना चाहता हूँ। एक चार्टर्ड एका-उन्टेन्ड बम्बई से कलकत्ता जा रहे थे, उन की घंटी दिल्ली स्टेशन पर 2 मिनट के गैप में गायब हो गई। उन्होंने जी० आर० पी० के आदमी को कहा कि आप मेरी मदद कीजिये लेकिन उसने मदद करने से इन्कार कर दिया और कहा कि यहाँ ऐसा तो होता ही रहता है। उस के बाद उन्होंने उस से प्रार्थना की कि आप जरा मेर सामान को देख लीजिए, मैं ही उस को तलाक करन की कोशिश करता हूँ—इस के लिये भी उस ने इन्कार कर दिया। उस के बाद जब उन्होंने पुलिस स्टेशन में जा कर एक० आई० आर० दर्ज करने को कहा, तो उस को भी दर्ज करने से इन्कार कर दिया। जब उन्होंने यह कहा कि हमारे क्षेत्र के जो पालियामेंट के मेम्बर हैं, आप उन में टेलीफोन पर बात करने दीजिये, तब उन्होंने उनकी रिपोर्ट दर्ज की। मैं मंत्री महोदय से जानना चाहता हूँ कि जी० आर० पी० को मुधारने के लिए आपने क्या व्यवस्था की है ?

श्री शिव नारायण :: आखिर मैं उन्होंने आप की रिपोर्ट लाज की हो, शुरू में थोड़ा बहाना किया, लेकिन बाद में रिपोर्ट निख ली गई जिसकी कापी आप के पास है।

SHRI K. A. RAJAN: I would like to know from the Minister whether he can say how many cases of gambling etc. have been registered.

SHRI SHEO NARAIN: No case of gambling in local trains around Delhi was reported during 1978, as against one case in 1977, in which six persons were arrested and prosecuted. The case is pending, it is under trial. No case of 'goondaism' in local trains around Delhi was reported in the years 1978 and 1977. Two cases of eve-teasing were registered in 1978, in

which four persons were arrested and prosecuted. The cases are *sub judice*. They are under trial.

श्री जगन् कुमार शस्त्री : मंत्री महोदय ने यदि प्रश्न सुन कर उत्तर दिया होता, तो अच्छा होता। ऐसा लगता है कि वह पहले से ही तैयारी कर के उत्तर द रहे हैं। प्रश्न यह है कि ग्राम तौर पर गाड़ियों में ये जितने जूआ खेलनेवाले या चोरियां करनेवाले हैं, ये लोग भीख मांगने के बहाने से या होलकियां बजाने के बहाने से गाड़ियों में चढ़ जाते हैं और लोगों का ध्यान आकृष्ट करते हैं, इस बीच में उन के गैंग के दूसरे लोग चोरियां कर के चले जाते हैं। मैं भी गाड़ियों में घूमता हूं, मैंने देखा है जो भारजित डिब्बे होते हैं, उन में ये लोग घुस कर चोरी करते हैं।

क्या हमारे रेल मंत्री जी इस प्रकार के कुछ कदम उठावेंगे जिस से ये लोग घपने घुप बना कर भारजित डिब्बों में घुसने न पायें?

श्री शिव नारायण : हमने उपाय किये हैं। जी० आर० पी० और आर० पी० एफ० के लोग तो इस काम को करेंगे ही, लेकिन मैं पब्लिक से भी अपील करता हूं—जो पैसेन्जर्स हमारी ट्रेन्स में ट्रेवल करें वे भी हमारे अधिकारियों की मदद करें। हम इस गन्दगी को दूर करना चाहते हैं, हम गाफिल नहीं हैं।

Oil Exploration of the Coast of Kerala

*129. SHRI GEORGE MATHEW: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) when oil exploration on the coast of Kerala will be re-started;

(b) what are the specific findings of the first study (exploration) conducted;

(c) on how many new sites; off the Kerala coast, the drilling is going to take place; and

(d) on how many sites the drilling has already taken place?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (d). ONGC had drilled an exploratory well 50 kms. North-West of Cochin during April/May 1978. This well was drilled in a depth of approximately 1755 metres. However, as no oil or gas was found, the drilling was suspended.

Data obtained from this exploratory well and the seismic data of the area collected earlier are being integrated and reviewed by ONGC. Further exploratory programme will depend upon the evaluation of this data.

SHRI GEORGE MATHEW: The Minister has not correctly answered my question. I had asked when exploration will be re-started on the coast of Kerala.

SHRI H. N. BAHUGUNA: After the valuation.

SHRI GEORGE MATHEW: But it has taken more than six months. The drilling started in April/May, so it is six months now. Don't you think that the delay is unwarranted? After all, only one well was done up to 1955 metres. Don't you think there is undue delay in the evaluation of the report?

SHRI H. N. BAHUGUNA: Sir, I do not agree that there has been any delay in dealing with this question. In fact, we went on drilling the Kerala coast with great hopes, but we did not find any utility of further exploring other wells before we could fix the locations. After the data processing has been done, it does take a little time and there has not been any delay on any account on this score. We have been assessing the whole data and our scientists are at work.

SHRI GEORGE MATHEW: On expert advice, drilling was to be done upto a depth of 1755 metres. Normally in off-shore drilling what is the depth upto which drilling is done and the average depth of exploratory wells that are dug? How many exploratory wells are dug before an area is declared as not having oil?

SHRI H. N. BAHUGUNA: Sir, we have not declared the area as not having oil. We are still exploring and reviewing the data with the hope of finding out if more wells are indicated. If more wells are indicated, we will

certainly do the drilling work. As far as the question how many wells are needed, is concerned, nobody can say that there have been cases where people have dug 500 holes and got nothing and in the 501st hole got everything which is at a depth of 5000 ft. below the water level.

SHRI P. M. SAYEED: Sir, my question is concerned with off-shore drilling. May I know from the hon. Minister whether the off-shore drilling work in Kerala, drilling work in Lakshadweep will be carried out?

SHRI H. N. BAHUGUNA: On the West-Coast of Kerala from Cochin to Lakshadweep, we have been assessing the whole thing. The seismographic recordings have been taken. So far, Lakshadweep is not a site indicated for boring any hole.

SHRI P. VENKATASUBBAIAH: In his quest to have more oil to attain self-sufficiency, whether the O.N.G.C. and the other organisations have identified the areas where oil exploration could be done successfully and in that process whether Godavari

MR. SPEAKER: No, No, the question is concerned with Kerala. Godavari is not in Kerala. It does not arise. Please read the question. Come back to Kerala.

SHRI P. VENKATASUBBAIAH: Whether in his quest for oil to attain self-sufficiency in course of time, the hon. Minister has identified the areas where we can successfully get oil and in that process Kerala is one and I want to know which are the other places where he finds commercial production of oil?

SHRI H. N. BAHUGUNA: Sir, Godavari Basin is also one of them and apparently in Andhra Pradesh, we are already doing drilling and Narsapur is one where on-shore drilling is done.

MR. SPEAKER: Q. No. 130. The Member is not here. Q. No. 131

Suburban Traffic in Metropolitan cities

*131. PROF. P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state;

(a) whether Government are aware that the suburban daily traffic in all metropolitan areas, and particularly in Bombay is increasingly getting heavy and crowded;

(b) if so, whether Government are taking any short-term as well as long-term measures to give relief and safety and comfort to the daily commuters on the said trains;

(c) if so; broad details thereof;

(d) whether the commuters expressed their resentment and even damaged Railway property on the Central and Western sectors of the suburban train services in Bombay in recent months and if so; broad facts thereto; and

(e) steps taken by Government to tackle such events?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAYAN): (a) to (e). A statement is laid on the table of the Sabha.

Statement

(a) to (c). Yes; Sir. Having regard to the availability of requisite facilities, steps are being taken to introduce additional suburban trains, extend the runs of existing trains and also to augment their loads. During 1978-79 thirty six suburban trains were introduced in Calcutta area, three in Delhi area and fifteen existing trains were also extended.

Proposals are in hand to augment the loads of remaining eight car units in Calcutta area to nine car units and also to introduce additional trains. In Madras, EMU services are proposed to be provided on Madras-Gummidi-pundi and Madras-Tiruvallur sometime after April, 1979 when the electrification takes effect. A separate suburban terminal for Madras area is also being contemplated.

In Calcutta, underground railway line between Dum-Dum Tolly Gunge is under construction and also the doubling of Dum-Dum-Barasat section is being included in 1979-80 Works Programme.

In Bombay area, 21 additional trains were introduced on Western Railway from 8-4-77. The number of trains in the morning peak period on Western Railway system has been raised to 80 since April, 1977 time table as against 61 and in the evening peak period from 50 to 60 trains. The frequency of services has also been brought down from 3 minutes to 2.5 minutes and the number of services are further to be increased gradually so as to provide 2 minutes frequency with matching availability of EMU stock and completion of back up facilities augmentation of power supply arrangements ancillary car shed etc. Similarly, on Central Railway; additional capacity is being generated by gradually reducing the time interval between successive trains from 6 minutes at present to 5 minutes in the first phase and finally to 3 minutes in the third phase. An additional corridor consisting of double line electrified system in Bombay area is also being contemplated.

(d) Yes, Sir. A few cases of commuters' agitations have taken place recently in Bombay suburban section due to failure, late running and change of platforms. There was a demonstration by the commuters at Bombay V.T. on 26-5-78 due to change of platforms of suburban train service. On 30-5-78, Bandra bound commuters squatted on the track at Vadala Road station of Harbour Branch for about half an hour demanding diversion of Mankhurd bound train to Bandra. On 31-5-78 there was a case of rowdiness at Kurla and on 1-6-78 at Chembur over termination of Mankhurd-bound train at Kurla. On 12-6-78 there was a case of rowdiness by commuters of Dombivili station due to delayed running of local as a result of interruption of power supply which had taken place due to lightning. On 19-10-78 at Bombay V.T. suburban services were suspend-

ed from 19.45 hours to 21.00 hours due to altercation between some of the commuters and the railway staff.

(e) A high level study team has gone into the working of Central Railway suburban service and has suggested certain measures which are being processed. A special meeting of Suburban Railway Users Consultative Committee was also called and position explained to the members. The press correspondents have also been invited by Railway administration to enlist their co-operation for educating public regarding various reasons leading to cancellation/unpunctual running of suburban trains.]

PROF. P. G. MAVALANKAR: Mr. Speaker, Sir, I must say that the statement which the Minister has laid on the Table of the House is very exhaustive and considerably satisfactory because it does indicate that the Railway Administration is well seized of the whole problem of the metropolitan railways in four cities. May I ask him in particular, whether it is a fact that a large number of suburban trains in the 4 areas; particularly in Bombay sector are because of their excessive use considerably out-dated in terms of their efficiency, servicing and running? And whether Government are considering not only in terms of increasing the frequency of trains but also replacing the old ones rapidly so that the general problem of overcrowding can be solved and passengers can be given more comfort and trains could be run with more speed especially during the time of peak hours in the morning and evening?

SHRI SHEO NARAIN: We are trying to replace old ones.

श्री दोनेन मट्टा चार्य : कब तक हो जाएगा ।
[श्री शिव नारायण : पैसा चाहिये, दादा ।

आने जाने की सुबह शाम की दिक्कत का माननीय सदस्य ने जिक्र किया है । यह सही शिकायत है । उसको भी हम हिसाब किताब कर रहे हैं ।

PROF. P. G. MAVALANKAR: But he has not been to reply to my

point of the first question, that is, what is the Government's strategy with regard to replacement of out of use trains by having new trains?

MR. SPEAKER: He has said that he is trying to do that.

PROF. P. G. MAVALANKAR: He did not say that.

PROF. MADHU DANDAVATE: The hon. Member has made a specific reference to suburban trains in Bombay. He is right. The difficulty is that about 40 per cent of the rakes on the Central Railway have got traction motors and compressors which have imported materials. These are obsolete designs and therefore the original manufacturers do not want to go into that. Therefore, we are trying to import spare parts which are available. In the meantime, we have given orders to the indigenous manufacturers to replace all those components so that in due course, full replacement will be available and thereby we will be able to improve efficiency of the suburban trains.

PROF. P. G. MAVALANKAR: The Minister, in his statement, has given details regarding several acts of passengers' violent demonstrations at various stations on the Western Railway and the Central Railway in the Bombay area. Although he has mentioned in part (e) of the answer that certain steps have been taken in educating public opinion, my question is what concrete steps are being taken to see that the waiting on the platforms is reduced to the minimum, because what happens is that in Bombay, particularly in the morning and evening, lakhs of passengers and office-goers either go to their offices or go back to their homes? They are naturally, after day's work, tired and exhausted, and a little more extra delay because of various factors causes considerable tension and that tension leads to violence. Therefore, what steps the Government are taking to reduce the gap of waiting period so that tension does not go high; for, once the tension

goes high, nobody can help the passengers. They are bound to take to violent demonstrations. I hope he has got that point and he will try to see that time lag between one train and another is reduced to the minimum?

PROF. MADHU DANDAVATE: As far as Western Railway suburban services are concerned, we are changing the frequency of the trains from 3 minutes to 2.5 minutes. As far as the Central Railway suburban services are concerned, we are trying to increase the frequency from 6 minutes to 5 minutes and ultimately we want to improve it to even 3 minutes. The only difficulty is with regard to new spare parts that are required for traction motor and compressor. We have already booked an order for imported materials. As soon as we get them, we will be able to improve it.

PROF. P. G. MAVALANKAR: He has not replied to my question.

MR. SPEAKER: He has said that by increasing the frequency of the trains, they are going to do it. I understand your question.

PROF. P. G. MAVALANKAR: A newspaper like *Free Press Journal* in Bombay had written many articles. I do not know whether he has seen those articles.

MR. SPEAKER: He has answered your question by saying that I have reduced crowding by increasing the frequency of the trains.

PROF. P. G. MAVALANKAR: Apart from finding the necessary financial resources how is he tackling some of the psychological and human situations by being alert?

PROF. MADHU DANDAVATE: As you have rightly pointed out, we have told him that the frequency has already been increased. But in addition to that about psychological factor, I may tell the august House that we have made arrangement at Dadar Station whereby

the driver has to immediately tell two staff members about the compressor or the traction motor is not being in working order so that immediately they can communicate the message to V. T. Station. By this measure, when the train comes on platform No. 1, there will be no occasion or cause to announce that the same train will be going from another platform and passengers should shift to another platform. If that psychological factor is taken into account, all the trouble will be over.

SHRI R. K. MHALGI: May I know from the hon. Minister whether there is any phased programme regarding replacement of various parts that have been mentioned now?

PROF. MADHU DANDAVATE: I have already booked an order for imported materials and we hope that by February we will be able to get the first consignment of some of the components. They are only spares. But as far as replacement is concerned, they will be completely replaced by indigenous parts.

श्रीमती मृणाल गोरे : अध्यक्ष महोदय, मैं जानती हूँ कि मंत्री महोदय ने दबाव में कहा है और यह बात सही है कि मेट्रो रेलवे में जो इंस्टॉल हुआ, गये 6 महीने में वैसा वैस्टन रेलवे में नहीं हुआ, लेकिन मैं उनसे जानना चाहती हूँ कि क्या वे जानते हैं कि 1980 तक वैस्टन रेलवे में कोई नये रेक्स नहीं आ रहे हैं और अगर इसी प्रकार से चलेगा तो वैस्टन रेलवे की परिस्थिति भी बहुत खराब हो जायेगी ?

सबबन रेलवे यूनर्स कंसल्टेटिव कमेटी में पिछले महीने एक राय से प्रस्ताव पारित हुआ कि वैस्टन रेलवे में जो रेक्स की मांग है, वह पूरी करने के लिये कदम उठाये जायें, मैं जानना चाहती हूँ कि क्या मंत्री महोदय इसके बारे में कोई आश्वासन दे सकते हैं ? अगर रेक्स कम मैनुफैक्चर हो रहे हैं तो क्या वह इम्पोर्ट करेंगे जिससे वैस्टन रेलवे को भी इसमें प्रैफरेंस मिल सके ? क्या इस बारे में वह कुछ कार्यवाही करेंगे ?

प्रो० मधु दंडावते : माननीया सदस्य वैस्टन रेलवे के सबबन में रहने वाली महिला हैं इसलिये उनको वैस्टन रेलवे की ज्यादा फिक्र है यह मैं जानता हूँ । यह भी मुझे जानकारी है कि वहां के सबबन पैसेजर्स एसोसियेशन ने एक राय से मांग की है कि 1980 तक उनको रेक्स दिये

जायें, अगर उससे पहले मिल सके तो ठीक होगा लेकिन कम-से-कम 1980 तक भी हो जायें तो ठीक होगा । आगे इस प्रकार की तकलीफ वैस्टन रेलवे में न हो जाये इसलिये हम रेक्स का इन्तजाम करने की कोशिश करेंगे, ऐसा मैं आश्वासन देता हूँ ।

Bursting of Gas Cylinders in Delhi +

133. **SHRI KACHARULAL HEM-RAJ JAIN:**

SHRIMATI MOHSINA KID-WAI:

Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that a truck-load of domestic gas cylinders had burst out in Kotla Mubarakpur, New Delhi; on 10th October, 1978 and caused great public panic in the area;

(b) the reasons for the bursting of gas cylinders; and

(c) the loss of life and wealth as a result thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) A truck loaded with 250 domestic cooking gas cylinders was being brought from the Indian Oil Corporation's Shakurbasti (Delhi) bottling plant on 10th October, 1978. The cylinders were to be delivered to the distributing agent at Bapu Park, Kotla Mubarakpur New Delhi. The truck caught fire leading to the bursting of a large number of cylinders.

(b) The exact cause of the fire and explosion is still under investigation by the Controller of Explosives, Agra. Preliminary investigations tend to show leakage of gas from filled cylinders. These cylinders appear to have got ignited from an external source of fire likely to have been brought into the truck carrying the cylinders.

(c) The total estimated loss of property is about Rs. 1.5 lakhs. This in-

cludes the loss of cylinders damaged in the fire, the cost of the truck, product loss and partial damage to the godown structure of the distributor. There was no loss of life.

श्री कचरलाल हेमराज जैन : प्रश्न के उत्तर में यह बताया गया है कि कोटला मुबारकपुर के एजेंट को जो गैस सिलेंडर जा रहे थे तो जिस ट्रक में वह सिलेंडर थे उसमें गोदाम से 5 मीटर की दूरी पर धाग लग गई। मैं जानना चाहता हूँ कि जिन एजेंटों को यह गैस सिलेंडर जा रहे थे, क्या उनके पास अयोराइज्ड गोदाम हैं जिनको कि पास किया है? एक प्रश्नकार में लिखा है कि उनके पास अयोराइज्ड गोदाम नहीं हैं और ऐसी जगह गोदाम बना हुआ है जहाँ कि जन-साधारण रहते हैं और अय-अयोराइज्ड गोदाम में गैस सिलेंडर रखे जाते हैं। क्या इसकी जांच करा कर वहाँ के जन-जीवन को सुरक्षित करने की व्यवस्था करेंगे?

श्री हेमवती नन्दन बहुगुणा : एजेंट ने यह गोदाम कोटला मुबारकपुर में 1975 में बनाया था और उस समय उसने चीफ कन्ट्रोलर आफ एक्सप्लोसिब्लज, नागपुर की इजाजत से बनाया था। साथ ही उस समय धाम-पास कोई घर नहीं थे जो कि बाद में बन गये। इसलिये यह बात सही है कि धाग उसके चारों तरफ घर बहुत सारे हो गये हैं, लेकिन यह गोदाम उसके पास जापते का बना हुआ मौजूद है, यह भी प्रमाणित बात है।

श्री कचरलाल हेमराज जैन : विवेक गैस सर्विस और ज्वाला गैस कम्पनी के पास क्या अयोराइज्ड गोदाम है?

श्री हेमवती नन्दन बहुगुणा : जी हाँ।

Railway tracks damaged due to Floods in W. Bengal

*134. PROF. DILIP CHAKRA-
VARTY:
SHRI JYOTIRMOY BOSU:

Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that a large part of Railway tracks has been damaged as a result of the recent floods in the country;

(b) if so, what is the extent of damage in terms of figures (state-wise);

(c) how much damage has been there alone in West Bengal;

(d) how much time Government will take to repair the loss; and

(e) the quantum of money already spent and the further amount required for the operation?

THE MINISTER OF RAILWAYS
(PROF. MADHU DANDAVATE): (a)
Yes, Sir.

(b) to (e). A statement is laid on the table of the House.

Statement

(b) to (e). Information regarding loss suffered due to floods is not compiled State-wise but Railway-wise. The physical loss (excluding loss due to traffic earnings) suffered Railway-wise due to recent floods (from 1-9-78 to 31-10-78) is, however, estimated as follows:

(Figures in lakhs of Rs.)	
Railway	Physical loss
Central	1.52
Eastern	442.00
Northern	183.94
North Eastern	47.38
Northeast Frontier	
Southern	0.55
South Central	
South Eastern	305.00
TOTAL	960.29 (About 10 crores)

Despite the unprecedented and extensive devastating flood damage, with the exception of a few unimportant branch lines or narrow-gauge sections on the Eastern and Northern Railways and the third line between Kulgachia and Panskura on Howrah-Kharagpur Section of S.E. Railway, restoration work on all other sections has already been completed and the traffic thereon resumed. Restoration work on the remaining lines is expected to be com-

pleted during the next two months or so.

The cost of restoration work is expected to be about 10 crores.

Expenditure already incurred for restoration work necessitated due to recent floods.

About Rs. 3.6 crores

Expenditure expected to incur in the future.

About Rs. 6.4 crores.

PROF. DILIP CHAKRAVARTY: I would like to know from the Minister whether he is aware of the mounting discontent among the passengers due to irregular and inefficient running of trains particularly the suburban trains and also the political overtones in the same as he had an experience recently in a meeting at Howrah?

PROF. MADHU DANDAVATE: By mistake, he has asked supplementary on Question No. 127.

PROF. DILIP CHAKRAVARTY: Is the Minister aware of the dilapidated condition of many of the rakes and coaches particularly in the suburban areas whether they are in Howrah or in Sealdah section? Is he contemplating to replace these rakes and coaches?

MR. SPEAKER: The question is about floods.

SHRI K. SURYANARAYANA: Will the Minister join hands with the Irrigation Department to control floods in the country because both of them suffer losses whenever floods take place?

MR. SPEAKER: That does not arise from the question.

SHRI SAUGATA ROY: Is the Minister satisfied with the rate of progress of repair works of the rail track damaged during floods because my observation is that the railway tracks took too long to be repaired? The floods came around 27th of September and the railway track between Howrah and Kharagpur, full length, was opened only on 7th of November and two trains still were not running. From 15th November, they became regular. Why was there so much delay?

PROF. MADHU DANDAVATE: He has put forward just an opposite argument. Both the State Governments of West Bengal and Orissa as well as the various political parties in the State have congratulated the Railways for having completed the restoration work before the target dates.

SHRI TRIDIB CHAUDHURI: The Railways certainly deserve some congratulation for early restoration of the track. Is he aware that some of the restoration done has been on a very *ad hoc* basis and on some of the lines the trains are not regular as yet particularly in the Sealdah section of the Eastern Railway and Lalgola section. Will he kindly look into that?

PROF. MADHU DANDAVATE: This is a suggestion for action. We will look into it.

SHRI DINEN BHATTACHARYA: The Minister is well aware of the fact that every year or every alternate year when there is a little rain, the Howrah area both South-eastern section and Eastern section, submerges so much in the water that for days together, trains cannot come up to the platform as a result of which passengers suffer much. Will he look into the matter?

PROF. MADHU DANDAVATE: As far as the dislocation in September and October 1978 is concerned, it was unprecedented as compared to the last hundred years. However, about the normal recurring phenomenon that occurs, we have kept a watch on that. We have also made an examination of the flood levels, and are going to make arrangements to see that such a thing is avoided.

WRITTEN ANSWERS TO QUESTIONS

Insecticide factories in States

*126. SHRI K. RAMAMURTHY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of States which have entered into collaboration with Hindustan Insecticides for setting up Insecticides factories;

(b) the places at which the Hindustan Insecticides Limited is going to set up such Units;

(c) whether Hindustan Insecticides Limited has been approached by foreign Governments also in the matter of setting up such units; and

(d) if so, the details of such proposals?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). No State has so far entered into collaboration with Hindustan Insecticides Limited. However, Hindustan Insecticides Limited have submitted to the Government two proposals—one for the setting up of a 26 per cent gamma BHC plant at Kovvur in Andhra Pradesh as a joint venture with

the State Agro Industries Corporations of Andhra Pradesh, Karnataka and Tamil Nadu and the other, for the establishment of a pesticides complex at Moradabad in Uttar Pradesh as a joint venture with the Uttar Pradesh Industrial Development Corporation.

(c) No, Sir.

(d) Does not arise.

Railway Earnings during April—August, 1978

*127. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of RAILWAYS be pleased to state:

(a) what are the actual revenue earnings of Railways during the months of April to August, 1978 as compared to estimate revenue; and

(b) what are the reasons for the difference, if any, between the estimates and actuals and what steps have been taken to improve the earnings?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) The position of earnings for the period ending August 1978 as compared to proportionate earnings target fixed for the period ending August 1978 is given in the table below:—

(Figures in Crores of Rupees)

	April-August 1978-79 proportionate target	April-August 1978-79 Actuals	Variations between Col. 1 & 2
	1	2	3
Earnings :			
Passenger .	279.90	284.22	+4.32
Other Coaching	34.69	34.58	-0.11
Goods .	586.00	546.04	-39.96
Sundry .	17.51	19.22	+1.71
TOTAL	918.10	884.06	-34.04

It would be seen from the above table that as compared to the budget proportion for the period ending August 1978, there has been a shortfall of Rs. 34.04 crores.

The drop in earnings is mainly due to setback in goods loading. While the earning are more than the budget proportion in respect of passenger (Rs. 4.32 crores) and sundry earnings (Rs. 1.71 crores), the shortfall in goods earnings is of the order of Rs. 39.96 crores, apart from a minor shortfall of Rs. 0.11 crore under other coachings.

The shortfall under goods earning has been due to the drop of 7.46 million tonnes in originating revenue loading to end of August 1978, as compared to the budget proportion.

Reasons for the shortfall in earnings.

(b) The shortfall in the earnings under goods traffic is mainly attributable to the following reasons:

- (i) Shortfall in the loading of coal to steel plants and washeries *vis-a-vis* the programmed movement, on account of inadequate availability of raw coal and difficulties in the functioning of washeries.
- (ii) shortfall in loading of raw materials to steel plants due to (a) fall in the production of saleable steel in the integrated steel plants and (b) difficulties in mines due to interruptions in power supply.
- (iii) Less loading of iron ore for export due to decrease in export orders.
- (iv) Loss in coal loading due to—
 - (a) A month long strike in Singareni Collieries in April/May 1978.
 - (b) Less offer of steam coal from Eastern Coalfields Ltd. (Raniganj Area); and
- (v) Public agitations in Bihar, Marathwada etc.

Steps taken to improve earnings.

The freight loading targets of all the railways have been suitably revised in order to maximise freight loading from all the Zonal Railways. The General Managers have also been individually advised to take all possible steps to step up goods loading and arrange close monitoring of movement over their respective systems so as to maximise utilisation of wagons.

Manufacture of Analgin formulations and Vitahext by M/s. Hoechst Pharmaceuticals

*128. SHRI RAMJI LAL SUMAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to lay a statement showing:

(a) details of licensed capacity of M/s. Hoechst Pharmaceuticals for the manufacture of Analgin formulations and Vitahext along with licence/permission No. and date;

(b) name, quantity and value of raw materials released in favour of this company during the last three years (year-wise); and

(c) whether any instructions of a general or a specific nature were issued in regard to release of such raw materials; if so, details thereof and how the consumption of this company of the raw materials is more than the release?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Details of names and licensed capacity (with licence/permission No. and date) various formulations of M/s. Hoechst Pharmaceuticals Ltd. which contain bulk Analgin are indicated in Annexure I. As regard Vitahext the company was granted a c.o.b. licence No. IL 92/77 dated 27th June, 1977 for manufacture of this formulation with an annual capacity of 3.1 lakh litres per annum.

(b) Names, quantities and values of canalised raw materials released in favour of M/s. Hoechst Pharmaceuticals Ltd. by the IDPL and the CPC during the years 1975-76, 1976-77 and 1977-78 are given in Annexure II.

(c) The figures of consumption of individual items of canalised raw materials by M/s. Hoechst Pharmaceuticals Ltd. during the last 3 years are being collected from the company to ascertain whether their consumption of these items was more than the releases thereof received by them from the two canalised agencies. As regards instructions issued by Ministry of P.C. & F. in regard to release of canalised raw materials to M/s. Hoechst Pharmaceuticals Ltd. during the last 3 years namely 1975-76, 1976-77 and 1977-78, the relevant details concerning specific written instructions are indicated below:—

ties of Analgin to the company on an *ad hoc* basis:—

Sl. No.	Date	Qty.
1.	25/26th July, 1975	20 tonnes
2.	6/8th Sept, 1975	20 tonnes
3.	9th Dec, 1975	50 tonnes

(ii) On 5th November, 1976 IDPL were instructed to release a quantity of 131.2 tonnes of Analgin to M/s. Hoechst for 1976-77 and also to release the same quantity to them on annual basis till further orders from the Ministry.

(iii) On 30th April, 1977 instructions were issued to IDPL to release to M/s. Hoechst a quantity of 128.97 tonnes of Analgin for 1977-78 which was equivalent to their consumption of this drug during 1976-77.

TETRACYCLINE

(iv) On 28th January, 1977 instructions were issued to IDPL to stop release of Tetracycline HCL to M/s. Hoechst in so far as it was required by them for the manufacture of Hostacycline Dry Syrup for which it had been decided to reject the party's application for c.o.b. licence.

ANALGIN

(i) During the year 1975-76, instructions were given to IDPL from time to time to release the following quanti-

Statement

Item	Annual Capacity	Approval/Licence No.
1. Novelgin Tablets	30 lakh tablets P.M.	L/22/N-164/60 dated 2-7-1960.
2. Novalgin Injection 2ml. Novalgin Injunction 5 ml. Novalgin Injection 30 ml.	1.50 lakhs ampoules of 2 c.c. p.m. 60,000 amp. each of 5 c.c. p.m. 4,500 bottles each of 30 cc. p.m.	Do.
Novalgin Injunction (Vet) 30 ml.	14,000 bottles p.a.	L/22/221/64-Ch. III dated 17-7-1964 as amended by Ministry of Industry's letter dated 30-5-1973.
3. Baralgon Tablets	6 million tablets p.m.	L/132/62-Ch. III dated 26-9-1962
4. Baralgon Injection 2 ml. Baralgon Injection 30 ml.	Baralgon Ketone (Antispasmo- dic) 500 kgs. p.a.	Notification from Ministry of Petroleum, Chemicals and Fertilizers No. 3(3)/65-Ch. III dated 27-5-1969, L/22/274/65-Ch. III dated 9-6- 1965 and L/22/132/62-Ch. III dated 28-9-1962.
Baralgon Injection 5 ml.	15 lakh of 5 ml. each p.a.	Do.
5. Baralgon drops 10 ml.	Baralgon Ketone (Antispaasimodic) 500 kgs. p.a.	{ L/22/132/62-Ch. III dated 28-9- 1962. L/22/246/54-Ch. III dated 28-11-1964. L/22/274/65-Ch. III dated 9-6-1965 and Ministry of Petroleum & Chemicals noti- fication No. 3(3)/65-Ch. III dated 27-5-1969.
6. Novalgin Oral Drops	96000 bottles/annum	L/22/57/61-Ch. III dated 17-2-1961 as amended on 30-5-1973.
7. Novalgin-quinine Dragees	5 lakhs nos./annum	No objection letter No. 3(15)/62- Ch. III dated 24-9-1962.

Statment- H

Names and quantity of canalised raw materials released in favour of M/s. Hoechst Pharmaceuticals during last three years

(quantity Figs. in Kgs.)

(Value Figs. in Rs./Lakhs)

Canalised Bulk drug	quantity released in					
	1975-76		1976-77		1977-78	
	quantity	Value	quantity	Value	quantity	Value

State Chemicals & Pharmaceuticals Corporation of India Ltd.'s Item.

Chloroquine Phosphate	230	0.47			175	0.74
Prenylamine Lactate	170	1.62	435	4.15	435	4.15
Prednisolone				..	19.5	3.33
Vitamin B-6	150	1.00	65	0.36	170	0.94
Cacine	..			..	645	0.72
Chloramphenicol Powder	N.A.		3137	16.46	3015	17.21

Indian Drugs & Pharmaceuticals Items

Tetracycline Hcl	14710	95.62	14180	92.17	14180	92.17
Tetracycline Base	745	4.84	1000	6.50	1000	6.50
Streptomycine Sulphate	5025	23.87	5930	28.17	5930	28.17
Vitamin B-1 Oral	66	0.39	66	0.39	140	0.83
Vitamin B-2	22	0.21	30	0.28	70	0.65
Analgin	125000	194.13	131175	203.71	128970	200.29

Work to Rule movement on Indian Railways

*130, SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that All Indian Railway Employees' Confederation in coordination with other sister organisations is launching a 'work-to-rule' movement on Indian Railways from 25th November, 1978 for amelioration of 6 Points Demands of National Coordination Committee for Railwaymen's struggle; and

(b) if so, the action taken by Government for negotiated settlement of these long-standing demands to maintain normalcy and good labour relations?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) and (b). Following informal talks with the Railway Administration, the Confederation has since withdrawn its call for 'work-to-rule' agitation which was scheduled to be started from 25th November, 1978.

Fertiliser Plant based on Gas from Bombay High

*132. SHRI PIUS TIRKEY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are the recommendations of the expert committee set up under the Chairmanship of Dr. Ganguli on the selection of site of the proposed fertilizer plant based on gas from the Bombay High;

(b) whether the World Bank has indicated any preference for a particular site; and

(c) what are the reasons for preferring foreign technology for the fertilizer plant to domestic technology?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) A statement is laid on the Table of the House.

(b) No, Sir. The World Bank have not indicated any preference for a particular site.

(c) There is no question of preferring imported technology in areas where indigenous technology is available. While Indian engineering and consultancy companies in the fertilizer industry like Fertilizer (P & D) India Ltd. and FEDO have developed considerable capabilities, import of know-how and services is still required for critical areas in a large sized fertilizer plant. Import of technology (and expatriate assistance) for the large sized fertilizer plants proposed to be set up based on Bombay High Gas would be made only to the extent that it is not available within the country.

Statement

The Task Force of the National Committee on Environmental Planning and Coordination under the Chairmanship of Dr. A. K. Ganguly submitted its report in middle of April, 1978. The Task Force arrived at the following unanimous conclusions

with regard to the location of proposed fertilizer plant:—

(1) The Task Force is of the opinion that the sites at Chenery and Usar are totally unsuitable for the location of a large scale fertilizer plant.

(2) While the Rewas site has certain techno-economic advantages and the water pollution aspects can be made minimal if due precautionary methods are adopted, the air pollution situation, within the constraints of the data available, is of some concern during some parts of the year. A natural ecological balance exists in the profusely vegetated Alibag area. The Task Force has also noted that the community residing in Mandwa is self-sustaining and economically viable. Taking all the environmental facts into consideration, the Task Force does not recommend location of the plant in Rewas.

(3) Tarapur site is acceptable from all environmental impact aspects.

As the Government of Maharashtra did not favour Tarapur as a location, the Task Force was requested to examine again the environmental impact on certain other locations south of Bombay suggested by the Govt. of Maharashtra.

The Task Force submitted their second report on 31-5-1978 and ruled out Usar, Sagaon, Vadavali and Divi-Parangi as unsuitable for locating the fertilizer projects. While the Task Force did not rule out Mandwa and Thal Vaishet as unsuitable for locating the plants, the Task Force again recommended Tarapur as a suitable location in preference to Mandwa and Thal Vaishet. After careful consideration of the second report of the Task Force and in consultation with the

Government of Maharashtra, Government of India have decided to locate the fertilizer complex at Thal Vaishet in the Kolaba district of Maharashtra.

Action on Reports of Law Commission

*135. SHRI OM PRAKASH TYAGI:
DR. VASANT KUMAR
PANDIT:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the news item in the 'Indian Express' of 27th September, 1978. (Delhi Edition) and state:

(a) the reasons why Government have not taken any action on 37 reports of the Law Commission, out of 73 submitted from May 1956 to date:

(b) whether any steps are being taken to implement the recommendations of the Law Commission on matters not so far considered by Government; and

(c) if not, the reasons for neglecting these reports?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). The Law Commission has so far submitted 76 Reports, and not 73. Legislation has been enacted to implement wholly or partly 36 Reports of the Law Commission. With regard to 4 Reports, no action was considered necessary. Some Bills which had been introduced to implement the Reports lapsed on the dissolution of the Lok Sabha. Other Reports are at various stages of consideration and/or implementation.

(c) Does not arise.

Prosecution of Firms for issuing Advertisements to Congress Souvenir

*136. SHRI N. SREEKANTAN

NAIR:

SHRI VAYALAR RAVI:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have initiated prosecution against the officials of the firms for the violation of Company Law by issuing advertisements to Congress Souvenir; and

(b) if not, what are the reasons for the delay in initiating prosecution as declared by the Ministry many times?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) No, Sir.

(b) The matter is still under investigation by the Central Bureau of Investigation. In view of the magnitude of the work relating to the investigation and the large number of companies and witnesses involved being situated in different places all over the country, the investigation could not be completed so far. Further course of action can be decided after the receipt of and examination of the investigation report and other related matters.

Manufacture of Basic Drugs by M/s. Ranbaxy Laboratories

*137. DR. SAROJINI MAHISHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether M/s. Ranbaxy Laboratories were permitted to manufacture basic drugs from imported bulk drugs; and

(b) if so, the terms and conditions thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILI-

ZERS (SHRI H. N. BAHUGUNA): (a) and (b). A Statement showing the details of Industrial Licences granted (during the last three years) to M/s.

Ranbaxy Laboratories for the manufacture of bulk drugs required imported material is attached.

Statement

Sl. No.	No. and date of Industrial Licence	Item of manufacture	Main Conditions
1	2	3	4
1	C:IL:112(76) dt. 17-3-76	Ampicillin Trihydrate	1. The import of 6-APA will be permitted only for a period of 2 years. 2. 30% of the bulk production shall be supplied to non-associated formulators.
2	C:IL:420(76) dt. 25-11-76	1. Nalidixic Acid 2. Diloxamide and formulations thereof.	1. No foreign collaboration will be allowed for these basic drugs. 2. Import of bulk drugs viz. Nalidixic Acid and Diloxamide will be allowed for a period of 2 years depending upon indigenous availability; and 3. 30% of the production of bulk drugs shall be made available to non-associated formulators.
3	C:IL:41(77) dt. 2-2-77	1. Chloroquin Phosphate 2. Cephalixin	1. In regard to Chloroquin Phosphate, import of Ethoxy Methylene Malonic Ester and Novoldiamine will be allowed for the first year, while in the second year, the company should base their production of Chloroquin on their own Ethoxy Methylene Malonic Ester, and Novoldiamine should be obtained from other indigenous sources from 3rd year onwards. 2. In regard to Cephalixin, import of 7-ADCA will be restricted to such quantity as may be certified by the Drug Controller of India from year to year depending upon the likely requirements of this antibiotic. 3. 30% (Thirty percent) of the bulk drug shall be made available to the non-associated formulators not being manufacturers of these bulk drugs.

1

2

3

4

4 C:IL:123(77) dt. 12-4-77 Doxycycline & its Salts

4. No import of technology will be permitted.

1. 30% (thirty per cent) of the production of bulk drug shall be made available to the non-associated formulators not being the manufacturers of this drug.

2. Import of bulk drug for formulation purposes will be allowed for a period of 2 (two) years only.

Ring Railway for Bangalore

*138. SHRI P. RAJAGOPAL

NAIDU: Will the Minister of RAILWAYS be pleased to state;

(a) whether Karnataka Government have proposed a Ring Railway for Bangalore city;

(b) if so, the cost of the proposed Railway; and

(c) whether a survey has been conducted regarding that project?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (c). No. Sir.

(b) Does not arise.

Delhi-Ahmedabad Broad Gauge Trains

*139. SHRI M. RAM GOPAL REDDY: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have ruled out Delhi-Ahmedabad broad gauge trains; and

(b) if so, what are the reasons therefor?

THE MINISTER OF RAILWAYS (PROF. MADHU DANDAVATE): (a) and (b). The project for conversion of Delhi-Ahmedabad metre gauge line into broad gauge at a cost of Rs. 108 crores is an approved work and has been included in the Railway Budget. The project has not been dropped but will be taken up depending upon the availability of resources and consistent with our policy to complete first the projects which are already in hand instead of starting a large number of projects at the same time.

Drug Pricing Policy

*140. DR. MURLI MANOHAR JOSHI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have finalised the pricing policy of drugs and if so, the broad outlines thereof;

(b) whether Government are aware that several drug companies have expressed apprehension that they would incur heavy loss in formulations if the new pricing policy is implemented; and

(c) if so, what steps are being taken by Government in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Broad outlines of the New Pricing

Policy are contained in the Statement on New Drugs Policy laid on the Table of the Lok Sabha on March 29, 1978.

(b) Yes, Sir. Memorandum have been received from various Associations of drug manufacturers as well as a few individual manufacturers stating that the New Pricing Policy would adversely affect them.

(c) The Department of Chemicals and Fertilizers have had discussions with the drug industry representatives who have been asked to work out, in specific terms, the impact of the New Pricing Policy. While some of the manufacturers have sent some data giving their projections, in brief terms, of the impact of the New Drug Policy on their profitability, a large number of companies have not yet furnished the required data in detail. Any assessment as to the adverse effects, if any, of the New Pricing Policy would be possible only after complete data are available from the manufacturers and such data have been scrutinised in consultation with NIGP.

Excess production of Protinex by M/s. Pfizer

1186. SHRI RAMDEO SINGH: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Protinex of Pfizer is a new article under Industrial Development and Regulation Act, 1951 in accordance with the opinion given by Ministry of Law; if so, who are the vested interests who are shielding this company, full facts may please be given;

(b) what is the excess production in the case of Protinex, and raw materials utilised for its production during the last three years; sources from which such raw materials have been procured in violation of Government policy; and

(c) what is the quantity of Oxy-tetracycline released to M/s. Pfizer in 1977-78 and 1978-79 by IDPL; details of letters issued by the Ministry to IDPL in this regard?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) It has already been stated in reply to Lok Sabha Unstarred Question No. 2352 answered on 1-8-78 that M/s. Pfizer have been found producing Protinex without a specific Industrial Licence, the company's contention being that they are entitled to do so under the Industrial Licence granted to them for the manufacture of Protein Hydrolysate. A final view on this is yet to be taken by the Government.

(b) The annual licensed capacity of Protein Hydrolysate in favour of M/s Pfizer is 110 Tonnes. Their production of Protein Hydrolysate and Protinex during 1975 to 1977 had been as below:

(In Tonnes)

Year	Protein Hydrolysate	Protinex
1975	195.79	345.029
1976	239.70	402.551
1977	N.A.	397.603

The question of excess production of Protinex and other related issues would depend upon the final decision as referred to in para (a) above that may be taken by the Government.

(c) The requisite information has already been furnished in reply to Lok Sabha Unstarred Question No. 4760 answered on 29-8-1978.

बहु-विवाह पर रोक लगाने का प्रस्ताव

1187. डा० रामजी सिंह : क्या बिधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत वर्ष में सन्तति नियमन के लिए बहुत विवाह पर रोक लगाना वांछनीय नहीं होगा ;

(ख) क्या सरकार को इस बात की जानकारी है कि इस्लामी देशों में एक विवाह पद्धति चलती है और यदि हां, तो कहाँ कहाँ और इन देशों में एक विवाह पद्धति लागू करने में क्या कठिनाइयाँ आई ; और

(ग) क्या सरकार का विचार इस राष्ट्रीय महत्व के विषय पर राष्ट्रीय संवाद चलाने का है ?

शिक्षा, समाज कल्याण तथा संस्कृति मंत्री (डा० प्रताप चन्द्र चन्द्र) : (क) सरकार के पास ऐसा कोई प्रस्ताव नहीं है ।

(ख) इस मंत्रालय में उपलब्ध जानकारी के अनुसार ट्यूनिमिया, अल्जियर और तुर्की में बहुत विवाह प्रतिपिद्ध है । पाकिस्तान में बहु विवाह पर कुछ निबन्धन लगाए गए हैं । उक्त देशों में सुसंगत विधियों को प्रवृत्त करने में आई कठिनाइयों के सम्बन्ध में कोई जानकारी उपलब्ध नहीं है ।

(ग) जी नहीं ।

Product-wise comparison of prices of Drugs

1188. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM,

CHEMICALS AND FERTILISERS be pleased to state:

(a) product-wise comparison of prices of public sector units with other Indian and foreign companies;

(b) whether it is a fact that prices of drug formulations manufactured by public sector units are high as compared to other units; and

(c) if so, how do public sector units serve public needs at low prices?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILISERS (SHRI H. N. BAHUGUNA): (a) to (c). A statement showing the product-wise comparison of prices of major formulations produced by public sector units, namely, INDIAN DRUGS AND PHARMACEUTICALS AND HINDUSTAN ANTIBIOTICS with prices of similar products of some Indian and Foreign companies is laid on the Table of the House. [Placed in Library. See No. LT- 2878/78]. It would be seen from the statement that the prices of drug formulations produced by the public sector units, by and large, compare favourably with the prices of other units.

Unlike the majority of the private sector companies, public sector units are contributing a major share in the production of bulk drugs as would be seen from the figures given below:

(Rs. crores)				
Year	Production of bulk drugs by public sector units	Total production of bulk drugs by the country.	Percentage of public sectors production to total production	
1975-76	42.70	130	32.8	
1976-77	48.63	150	32.4	
1977-78	46.70	164	28.5	

Thus, public sector units are performing a very fundamental function in the field of drugs which is however, less remunerative in that the capital investment involved is very high compared to formulation activity.

Public sector units are making efforts to increase their production of bulk drugs/formulations by adopting better technology and improving efficiency, which would bring about a reduction in the cost of their production.

Production of Pesticides

1189. SHRI AMARSINH V. RATHAWA: Will the Minister of PETROLEUM AND CHEMICALS AND FERTILIZERS be pleased to state:

(a) the number of industries which are manufacturing pesticides in India;

(b) the annual production of pesticides in India;

(c) the annual requirement of the country; and

(d) the steps taken by the Government to compile the requirement?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). 25 units are manufacturing technical grade pesticides in this country. Their installed capacity is 67474 tonnes and the actual production during 1977-78 was 42.634 tonnes.

(c) As per assessment made by the Department of Agriculture and Health, the total estimated demand for pesticides for 1977-78 was of the order of 90832 tonnes.

(d) Further capacities have been approved to the extent of 23,575 tonnes through Industrial Licences and another 20,015 tonnes through Letters of Intent. These are in various stages of implementation..

अनुसूचित जातियों और अनुसूचित जनजातियों को चिप गये छोटे ठेके

1190. श्री हुकम चन्द कछवाय : क्या रेल मंत्री 18 जुलाई, 1978 के तारांकित प्रश्न संख्या 35 के भाग (ख) के उत्तर के संबंध में यह बताने की कृपा करेंगे कि अनुसूचित जातियों और अनुसूचित जनजातियों के व्यक्तियों को अब तक कितने सीधे छोटे ठेके दिये गये हैं और नई सरकार की स्थापना के बाद प्रत्येक रेलवे में आधे यूनिट से अधिक ठेके देने के कितने मामलों में अनुसूचित जातियों और अनुसूचित जनजातियों के व्यक्तियों को प्राथमिकता दी गई है?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : मई, 1977 से अनुसूचित जाति और अनुसूचित जनजाति के व्यक्तियों को आवंटित किये गये खान-पान/बैडिंग के ठेकों की संख्या इस प्रकार है :—

रेलवे	आधी यूनिट	आधी यूनिट से अधिक
मध्य	4	कोई नहीं
पूर्व	4	"
उत्तर	10	1
पूर्वांचल	कोई नहीं	1
पूर्वांचल सीमा	2	कोई नहीं
दक्षिण	कोई नहीं	"
दक्षिण-मध्य	2	"
दक्षिण-पूर्व	6	"
पश्चिम	3	"
जॉइंट	31	2

Progress of Konkan Railway during last five months

1191. SHRI BAPUSAHEB PARULKAR: Will the Minister of RAILWAYS be pleased to state:

(a) the progress of construction of work of Konkan Railway in the last five months;

(b) the amount that was expected to be spent in last five months and the amount actually spent;

(c) what amount is likely to be spent on this project in 1979-80 and what progress is expected by the end of March, 1980; and

(d) when the Konkan Railway line is likely to reach Ratnagiri in the State of Maharashtra?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The first phase of the line from Apta to Roha has been included in the budget for 1978-79 at a cost of Rs. 9.00 crores with an outlay of Rs. 1 crore in 1978-79. The construction organisation has been set up and land acquisition work is in progress. Tenders for bridges and tunnels are under finalisation.

(c) The Annual Plan and the budget for 1979-80 are yet to be finalised.

(d) Extension of the line upto Ratnagiri will be possible only after the construction of the line upto Roha is completed by 1981. No target date can be given for extension of the line up to Ratnagiri at this stage.

Release of Canalised Bulk Drugs to Foreign Companies

1192. SHRI RAMJI LAL SUMAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILISERS be pleased to state:

(a) names, quantity and value of canalised bulk drugs released in favour of 5 selected foreign companies like Pfizer, Abbott, E. Merck, Glaxo and Sandoz and Indian companies like

Unichem, Alembic, Sarabhai, Dey's and Cadila during the last three years, year-wise;

(b) on what basis were these release effected and whether releases made during each year confirm with entitlement as per policy; and

(c) were any deviations from the policy observed in these cases; if so, details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILISERS (SHRI H. N. BAHUGUNA): (a) to (c). A statement showing the names, quantity and value of canalised bulk drugs released in favour of 5 foreign companies viz. Pfizer, Abbott, E. Merck, Glaxo and Sandoz and 5 Indian companies viz. Unichem, Alembic, Sarabhai, Dey's Medical Stores and Codila by IDPL and CPC during the last three years is laid on the Table of the House. [Placed in Library. See No. LT-2878/78]. All these companies except M/s. Cadila Laboratories were treated as PGTD units during the last three years. M/s. Cadila Labs, were treated as a Small Scale Units though they were granted a c.o.b. licence late in 1977-78 thereby changing their status to that of a DGTD unit. For the year 1978-79 this company is also being released canalised bulk drugs as a DGTD unit.

During the last three years DGTD units were being released canalised raw materials to the extent of best of consumption during any of the two previous years or the quantity recommended by the State Drug Controllers whichever was less. It was decided in Oct. 1977 that with effect from 1-1-78 DGTD units would be released canalised raw materials for 1977-78 to the extent of releases in 1976-77 or as per their entitlement based on licensed capacities for formulations whichever was higher. During 1977-78, the items like Vit. B1, Vit. B2, Folic Acid and Riboflavine-5-Phosphate Sodium were released to all units under 'Direct Allotment Procedure' so as to meet their twelve months' requirements.

During the last three years the Small Scale Units were released canalised buik drugs on the following basis:—

(i) Small Scale Units having a turn-over of less than Rs. one crore per annum:— to the extent of best of past two years' consumption plus 30 per cent towards growth.

(ii) Small Scale Units with a turn-over of Rs. one crore and above:— to the extent of best of past two years' consumption plus 15 per cent towards growth.

(iii) All Small Scale Units in West Bengal:—50 per cent extra over the best of past two years consumption.

(iv) All new units i.e. units having no past consumption of the raw material in question:— to the extent of 150 kgs. and 200 kgs. for units in West Bengal. However, in the case of certain canalised items where dosage requirements is small certain minimum quantities were released initially. On producing State Drug Controllers' Certificate of having consumed the allotted quantities, the units were entitled to further similar quantities.

Both the IDPL and the CPC, the two canalising agencies, have confirmed the releases of canalised bulk drugs to the above mentioned companies during last three years were made within the framework of policy outlined above and that no deviations from policy were made by them.

New Lines in Karnataka during Sixth Five Year Plan

1193. SHRI JANARDHANA POJARY: Will the Minister of RAILWAYS be pleased to state the number of new lines proposed to be taken up for construction in the backward areas of Karnataka during the 6th Five Year Plan?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Lines to be taken up in the backward areas during 6th plan have not yet been finalised.

Public agitation at Bombay V.T. Station

1194. SHRI R. K. MHALGI: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that V.T. (Bombay) Station (Local Trains) witnessed a massive outburst of public rage on 19th October, 1978;

(b) if so, the reasons and the details of the incident;

(c) whether the matter was enquired into and whether the officers responsible were brought to book;

(d) whether Professor P. T. Shimpi of Thana (Maharashtra) the first complainant has made representation to the Railway Minister regarding the incident in the third week of October, 1978; and

(e) if so, whether he was made known the results of enquiry?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes, on 19-10-1978. Karjat-bound suburban train No. S/19 was first indicated to leave from platform No. 6 at 19.00 hrs. but due to defect in the rake, it was announced later on, that the said train would leave from platform No. 7 at 19.25 hrs. & one Shri P. T. Shimpi of Thana is said to have gone to ASM's office to enquire the reasons for change in the platform No. and also delay in despatch of the said train to Karjat. It was alleged by Shri Shimpi that instead of getting a proper reply he was assaulted by the Railway staff and in the ensuing scuffle he received minor injuries. On the other hand, the railway employees complained that Shri Shimpi had behaved very rudely with them and instigated the crowd to teach the employees a lesson. While this altercation was going on, a fairly large crowd assembled near ASM's office. They indulged in stone pelting at the office, train indicators, tubelights causing thereby extensive damage estimated at Rs. 30,000/- City Police and Government Railway Rail-

way Police & Railway Protection Force attended the spot and brought the situation under control. In the melee two/three persons sustained injuries. Suburban train services were suspended from 19.45 hrs. to 21.00 hrs.

Two cases have been registered by Government Railway Police on the complaint of Shri Shimpi against railway employees as crime No. 324/78 u/s 342, 322 IPC and the other on the complaint of Police Sub-Inspector, Bandoley against the mob as crime No. 327/78 u/s 147, 148, 352, 332 and 426 IPC.

(c) Police are investigating the complaint lodged by Shri Shimpi against the railway staff. Suitable action would be taken after the Police completes investigation.

(d) and (e). Yes, a representation has been received and Shri Shimpi has been informed by the Minister for Railways that after investigations due action would be taken.

Strength of Station Masters and Assistant Station Masters

1195. SHRI R. P. TRIPATHI: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 2800 on 14th March, 1978 regarding strengthen of Station Masters/Assistant Station Masters and state whether the information required to be laid on the Table of the Lok Sabha has since been collected?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Information has since been collected. A statement showing actual sanctioned strength of Station Masters Assistant Station Masters on the Railways, Division-wise and grade-wise is laid on the Table of the House. [Placed in Library. See No. LT-2879/78].

The posts of Station Masters/Assistant Station Masters which were lying vacant in Delhi Division were as under:

Grade	Number
Rs. 425—640(RS)	6
Rs. 330—560(RS)	15

The vacancies have now been filled up.

Release of raw materials to drug firms

1196. SHRI MOTIBHAI RAO CHAUDHRY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the reply to Unstarred Question No. 212 dated the 18th July, 1978 regarding production of Oxytetracycline by M/s. Pfizer and state:

(a) whether a ministerial order can supersede the provisions of Industries (D&R) Act, Essential Commodities Act, Import & Export Act or any other statutory provisions;

(b) if not, how during 1976-77, canalized raw materials in excess of capacities licensed were given to drug firms;

(c) whether Government propose to penalise M/s. Pfizer for manipulating extra release of Oxytetracycline raw material before 1977 policy; if not, reasons therefor; and

(d) the licensed capacity for Oxytetracycline of M/s. Pfizer release of raw material made in their favour during 1974-75, 1975-76 and 1976-77 and under what provisions of I(D & R) Act?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). The parameters laid down by Ministry of P, C&F for release of canalised raw materials to

DGTD units, including M/s. Pfizer, as outlined in reply to Lok Sabha Unstarred Question No. 212 dated the 18th July, 1978 fall within the framework of Import Trade Control Policy of Government laid down from year to year. In 1976-77, as also in 1977-78 the ITC policies provided that DGTD units would get imported raw materials and components by way of claiming replenishment of imported raw materials/components consumed by them during previous two years', whichever was advantageous to them.

(c) and (d). The position with regard to release of Oxytetracycline in favour of M/s. Pfizer has already been explained in detail in reply to the following Lok Sabha Questions:—

- (i) Unstarred Question No. 212 answered on 18-7-78.
- (ii) Unstarred Question No. 1275 answered on 25-7-78.
- (iii) Unstarred Question No. 4760 answered on 29-8-78.

As regards M/s. Pfizer are manufacturing the formulations based on Oxytetracycline on the alleged authority of Registration Certificate issued under Section 10 of I(D&R) Act, 1951 and a permission letter issued in 1960 both of which do not indicate the names of products and their capacities. It is, therefore, not possible to work out their entitlement as per formulation-wise capacities. No penal action on account of excess production of these formulations, therefore, lies against the company. However, action has been initiated as per paragraphs 37 & 38 of the Statement laid on the Table of the Lok Sabha on 29-3-78 containing Government decisions on the (Hathi) Committee on Drugs and Pharmaceuticals Industry, for issuing a consolidated licence to all DGTD units, including M/s. Pfizer, wherein capacities for formulations based on a particular bulk drug are to be indicated in terms of quantum of

that bulk drug. Once this is done, the release of canalised bulk drug would automatically get linked to the entitlements of various DGTD units as per licensed capacities.

The details of canalised raw material released in favour of M/s. Pfizer during 1975-76, 1976-77 and 1977-78 have been given in reply to Lok Sabha Unstarred Question No. 8807 answered on 2nd May, 1978.

Geo-Scientific investigation plans by ONGC

1197. SHRI KUMARI ANANTHAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the ONGC has any massive programme for geo-scientific investigation plans for the next one year to cover almost the entire country; and

(b) if so, the nature of the plan if completed?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). Geo-scientific investigations have been undertaken by ONGC ever since its inception and these would be continued in future. Such investigations are carried out in various parts of the country where possibilities of accumulation of oil and gas exist both onland and offshore which include geological studies, seismic, gravity and magnetic surveys.

There are no massive plans at present under consideration of ONGC by which the entire country could be covered in the next one year.

Measures to economise in fuel consumption on Railways

1198. SHRI S. R. DAMANI: Will the Minister of RAILWAYS be pleased to state:

(a) what measures have been taken to economise in the consumption of fuel on the Railways on account of shortage of coal production;

(b) whether Railways have considered the desirability of hauling the shunting of wagons and rolling stock by means of Diesel Locos instead of Locos as being done at present to save coal consumption; if so, the outcome thereof; and

(c) if not, the reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) In view of shortfall in coal supplies, the Zonal Railways are taking steps to reduce coal consumption by:

(i) curtailing Departmental and Sectional Work Trains to the barest minimum.

(ii) when coal stocks are very low, some passenger trains on relatively unimportant sections are being cancelled, care is taken at the same time to see that such cancellations do not affect the movement of workers, commuters, people attending courts etc. and alternate services are available for passengers to move from one point to the other.

(b) and (c). The Corporate Plan for the Railways envisages progressive increase in the utilisation of Diesel locos for shunting of wagons and rolling Stock.

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प्राकृतिक गैस के लिए खोज कार्य

1198. श्री इवाराज साहब : क्या पेट्रोलियम, रसायन और उर्बरक मंत्री यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सरकार द्वारा ज्वालामुखी में प्राकृतिक गैस की खोज पर कितना धन खर्च किया गया है और इस में सफलता न मिलने के क्या कारण हैं ; और

(ख) देश के किन भागों में प्राकृतिक गैस की खोज की गई है और कितने स्थानों पर सफलता मिली है ?

पेट्रोलियम तथा रसायन और उर्बरक मंत्री (श्री हेमचन्द्र नन्दा बहुगुणा) : (क) तेल तथा प्राकृतिक गैस आयोग द्वारा ज्वालामुखी में पहले-पहल अन्वेषी व्ययन कार्य पाँचवें दशक में आरम्भ किया गया था और उस चरण में 9.09 लाख रुपये के मूल्य का सहित तेल तथा प्राकृतिक गैस आयोग के 109.39 लाख रुपये खर्च किये। तेल तथा प्राकृतिक गैस आयोग द्वारा ज्वालामुखी में वर्ष 1977-78 में पुनः व्ययन कार्य आरम्भ किया गया और 31-3-1978 तक 36.03 लाख रुपये के मूल्य का सहित 137.23 लाख रुपये खर्च किये गये थे। दूसरे चरण में, तेल तथा प्राकृतिक गैस आयोग ने ज०एम०आई०-3 नामक एक कुएँ का व्ययन कार्य पूरा कर लिया है, जहाँ पर हमें कोई अन्तःस्थ परिणाम नहीं मिले है। ज०एम०आई०-6 नामक एक दूसरे कुएँ का व्ययन कार्य 1978 में आरम्भ किया गया था और इस समय इस कुएँ का उत्पादन परीक्षण किया जा रहा है।

(ख) तेल तथा प्राकृतिक गैस आयोग द्वारा अब तक अप्रत्यक्ष क्षेत्रों के अलावा, गुजरात, राजस्थान, पंजाब, हिमाचल प्रदेश, जम्मू व कश्मीर, उत्तर प्रदेश, बिहार, पश्चिम बंगाल, असम, मेघालय, सिक्किम, आन्ध्र प्रदेश और तमिलनाडु में 199 संरचनाओं पर अन्वेषी कार्य करने का प्रारम्भ किया गया है। इनमें से 187 संरचनाओं का व्ययन द्वारा परीक्षण पहले से किया जा चुका है, जिसमें से 63 संरचनाएँ तेल तथा गैस वाली रचनाएँ सिद्ध हुई हैं और बाकी 124 संरचनाएँ सूखी पायी गयीं। बाकी 12 संरचनाओं का 1 अक्टूबर, 1978 तक व्ययन/परीक्षण किया जा रहा था। गुजरात, असम और बम्बई हाई के घासपास के क्षेत्रों में अनेक संरचनाओं में अब तक वाणिज्यिक मात्रा में तेल/गैस की खोज की जा चुकी है।

Lok Sabha seats contested by SC/ST candidates

1200. SHRI GANGADHAR APPA BURANDE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the number of Lok Sabha seats contested by SC/ST candidates in general constituencies in different States and won by them during the last 3 years, State-wise?

THE MINISTER OF EDUCATION SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUDER): The information is being collected and will be laid on the Table of the House.

Talwara-Sujanpur Railway Line

1201. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) whether he has received a representation dated 23rd October, 1978 from the Himachal Hitkarini Parishad, Kalka urging the Railway Administration for undertaking survey from Talwara to Sujanpur along the bank of Beas for a railway line;

(b) if so, what are the details thereof; and

(c) what action is being taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) and (c). The Himachal Hitkarini Parishad, Kalka has urged for carrying out survey for the construction of Talwara-Tira Sujanpur rail link along the bank of the Beas river. Due to severe constraint of financial resources and heavy commitments already made, it is not possible to undertake the survey for this rail link at present.

Income out of sale of Hill Station Tickets

1202. SHRI MADHAVRAO SCINDIA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3238; on the 8th August, 1978 regarding railway income out of the sale of Hill Station tickets and state whether the information has since been collected;

(a) if so, details thereof; and

(b) its impact on the railway earnings for the year 1978-79?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The details of the information collected are as under:—

	Rupees
Income earned during the year 1976-77	36,10,602
Income earned during the year 1977-78	63,92,689
Income earned during the year 1978-79 (upto June '78)	63,78,449

(b) The sale of these tickets during the three month period of 1978-79 shows an upward trend.

Judges belonging to SC and ST

1203. SHRI B. C. KAMBLE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what is the total number of judges in (i) Distt. Courts (ii) High Courts and (iii) Supreme Court in India and how many of them belong to Scheduled Castes and Scheduled Tribes; and

(b) What steps, Government propose and take in the matter of appointing judges from Scheduled Castes and Scheduled Tribes to make up the backlog or deficiency so as to ensure participation in the matter of shouldering national responsibilities in the

Judiciary as a whole by the Scheduled Castes and Scheduled Tribes?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) The information regarding Districts Courts is being collected from the State Governments and will be laid on the Table of the House.

As regards High Courts, the total number of Judges in position is 318 as on 15-11-1978. According to the information furnished by the High Courts 5 of these Judges belong to the Scheduled Castes while none belongs to the Scheduled Tribes.

As regards the Supreme Court, the total number of Judges in position is 16 including the Chief Justice of India and none of them belongs to the Scheduled Castes or the Scheduled Tribes.

(b) As regards the appointment of Judges in the Supreme Court and the High Courts persons belonging to the Scheduled Castes and Scheduled Tribes possessing the requisite qualification, experience and merit are considered by the Government along with others, if their names are recommended by the State authorities/Chief Justice of the High Court.

As regards the subordinate judiciary the State Governments had been requested to consider amendment of the relevant service rules so as to incorporate therein a clear provision for the reservation of the posts for the Scheduled Castes and Scheduled Tribes. A number of State Governments have incorporated provisions of reservation in the rules.

Reservation charts

1204. SHRI AHMED HUSSAIN: Will the Minister of RAILWAYS be pleased to state:

(a) the reasons why there are always corrections or over-writings

on the reservation charts which are displayed in the Railway compartments/Stations—causing undue harassments to the passengers; and

(b) why in almost all the bogies of the Tinsukia Mail (left Delhi on 9-11-78) there was change of coach number and seat number in the reservation charts; and who is responsible for these discrepancies; and action proposed to be taken to punish them and ensure neat and clean reservation charts?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Every effort is made to display reservation charts free from corrections or over-writings. However, in a few cases corrections become necessary on account of change in composition or last minute damage to coaches.

(b) In 156 Up Tinsukia Mail which left New Delhi on 9-11-1978, a 3-tier sleeper coach was damaged and had to be replaced by another coach. This necessitated the change of the number of the coach.

The numbering of compartments of two first class coaches had to be changed because of change in the normal composition of the train.

Instructions have, however, been issued to the Railways to ensure that neat and clean reservation charts are displayed on the basis of the actual composition of the train as far as possible.

Tarkunde Commission Report

1205. SHRI BHAGAT RAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware about the non-official Tarkunde Commission's report;

(b) what are the main findings and recommendations of the Tarkunde Commission;

(c) whether Government are considering to appoint a Commission of Enquiry for further probe; and

(d) if not, the reasons for the same?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER):

(a) Yes, Sir. It is presumed that the report referred to in the Question is the report of the Tarkunda Committee relating to electoral reforms.

(b) The main findings and recommendations of the Tarkunde Committee are annexed.

(c) and (d). No Sir. As a number of proposals for electoral reform, including the recommendations contained in the Joint Committee on Amendments to Election Law, the Tarkunde Committee Report and the recommendations made by the Election Commission are under active consideration of Government, it is not considered necessary to appoint any Commission for consideration of proposals for electoral reform.

Statement

(i) The Election Commission should be a three member body instead of one as at present and the members should be appointed by the President on the advice of a Committee consisting of Prime Minister, the leader of the Opposition (or a Member of Parliament selected by the opposition in the Lok Sabha) and the Chief Justice of India.

(ii) The Regional Commissioners should be appointed for a State or group of States.

(iii) Section 169 of the Representation of the People Act, 1951 should be amended so as to provide that the rules framed under the Act become operative only if they are placed before and approved by Parliament.

(iv) A statutory limit of six months may be imposed beyond which a bye-election should not be postponed.

(v) The government of the day should function as a care-taker government from the time of the dissolution of Parliament or a State Legislative Assembly as the case may be, until the polling day. It should not initiate or announce any new policies, projects, or grant allowances or loans, salary, increases etc. during this period. The Ministers should not travel at the state expense and also not use government air-craft or vehicles and other facilities. During the aforesaid period, no advertisements of Government achievements should be published at Government cost and no newsreels should be exhibited at Government expense for the propaganda of the Government or the ruling party. As many as possible of the above suggestions should be included in the definition of corrupt practices by amending clause (7) of section 123 of the Representation of the People Act, 1951.

The Committee has recommended amendment of section 100(1) to enable the Court to declare the election invalid in a constituency if Government machinery or Government power is used in the elections to a substantial extent.

(vi) All recognised political parties should be given time for election broadcasts and while doing so the number of votes cast for each party should be taken into consideration.

(vii) Money power in elections:

(i) All recognised political parties should be required by law to keep full and accurate accounts, including their sources of income and details of expenditure. The accounts should be audited by Chartered Accountants nominated by Election Commission and should be open to public inspection.

(2) In every constituency all the amounts spent for the furtherance, directly or indirectly, of the prospects of a candidate in an election shall be disbursed through his election agent. In this connection the provisions of section 60—63 of the (British) Representation of the People Act, 1949 should be referred to. The Committee has recommended that certain facilities should be available in every constituency at government expense, viz.,

(a) Printed cards giving the registered number of a voter in the electoral roll and polling booth where he may have to cast his vote along with the names and symbols of candidates should be made available to all voters.

(b) Each candidate shall be entitled to send to each voter, free of postage, one communication containing matter relating to the election not exceeding two ounces in weight.

(c) School rooms and meeting halls should be made available to the candidates at election at reasonable times and at a nominal charges.

(d) Twelve copies of the relevant electoral roll should be supplied to each candidate free of charge.

(3) The amount of deposits for both Parliamentary and Legislative Assembly election should be increased from Rs. 500 to Rs. 2000 and Rs. 250 to Rs. 1000 respectively. Proportionate increase should be made in the case of Scheduled Caste and Scheduled Tribe candidates.

(4) The present ban on corporate donations should continue. The large payments being made for so called advertisements in the so-called souvenirs of political parties should be prevented by law.

(viii) The Committee has suggested a mixed system which is a

variation of the West German system providing for candidates of political parties and independent candidates. The Committee has placed more than one formula in this regard and has suggested that its proposals should be subject to wide-spread public discussion out of which a consensus may emerge.

(ix) Age of voting should be reduced from 21 to 18 years.

(x) Apart from the recommendations made by the Joint Committee for having as many as four qualifying dates in relation to the preparation or revision of electoral rolls, any person on attaining the voting age should have the right to apply for being registered as a voter.

(xi) Taking of signature on the counterfoil of a ballot paper should be abandoned.

(xii) It may be provided that the polling agents of the candidates shall have the right to accompany the officers transporting the ballot boxes from the polling booth to the counting centre.

(xiii) A provision should be made that as soon as all the polling boxes from different polling booths are collected at the counting centre, the counting should start forthwith. This will no doubt necessitate the holding of elections on the same day all over the State and preferably all over the country.

(xiv) The original system of counting votes boothwise should be restored.

(xv) An Election Council representing and the recognised political parties on the lines recommended by the Joint Parliamentary Committee on Amendments to Election Law should be established.

(xvi) Disposal of election disputes. (a) The District Court in whose jurisdiction the constituency is situated is the proper forum for the disposal of objections to the acceptance or rejection of nomination papers.

In order to expedite the disposal of such objections the objector should announce, at the time of scrutiny of nomination papers that he is going to file his objection in the District Court the next day, and the parties should appear in the District Court the next day for having the objection heard and disposed of the same day or, at the latest, the day thereafter. The decision of the District Court in such cases should be final.

(b) For speedy disposal of the election petitions the Chief Justice of the High Court should make available one Judge of the High Court for the hearing of each election petition. If need be retired judges of the High Court in sufficient numbers should be appointed on *ad-hoc* basis for the purpose.

There should be no appeal as of right to the Supreme Court from the High Court's order on an election petition except by way of special leave under Article 136 of the Constitution.

Railway Land Encroached upon allowed to be retained

1206. SHRI L. L. KAPOOR: Will the Minister of RAILWAYS be pleased to state:

(a) the names and addresses of parties who initially encroached upon railway land in the urban areas of the Union Territory of Delhi but subsequently were allowed to retain in their possession under some sort of agreement;

(b) the year of encroachment in each case, the area encroached upon initially and the area in possession at present; the terms of the agreement

and the amount realised yearly from each party; and

(c) arrears due, if any, from each party, till date?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). A statement giving the information is laid on the Table of the House. [Placed in Library. See No. LT-2880/78].

कुकिंग गैस का उत्पादन

1207. श्री बी० जी० हांडे : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विदेशों में कुकिंग गैस बहुत सस्ती है जबकि हमारे देश में इस के मूल्य बहुत अधिक हैं ; और

(ख) देश में खपत को ध्यान में रखते हुए कुकिंग गैस का उत्पादन बढ़ाने और इसकी कमी को दूर करने के लिए सरकार क्या कार्यवाही कर रही है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा) : (क) बम्बई, मद्रास, कलकत्ता और दिल्ली में तरल पेट्रोलियम गैस के अन्तिम उपभोक्ता मूल्य इस प्रकार हैं :—

रुपये

(i) बम्बई	26.94	14.2	कि०ग्रा० के प्रति सिलेण्डर
(ii) मद्रास	29.67	15	कि० ग्रा० के प्रति सिलेण्डर
(iii) कलकत्ता	33.82	"	
(iv) दिल्ली	32.81	"	

बरेलू कुकिंग गैस के उपभोक्ता मूल्य एक स्थान से दूसरे स्थान पर भिन्न-भिन्न हैं और विदेशों के लिए इस समय उपलब्ध नहीं हैं।

(ख) वर्ष 1980 के बाद से, जब निम्नलिखित के आरम्भ होने पर अतिरिक्त तरल पेट्रोलियम गैस उपलब्ध होगी, तरल पेट्रोलियम गैस (कुकिंग गैस) की उपलब्धता/सप्लाई की स्थिति में पर्याप्त सुधार होने की आशा है।

- (i) बम्बई हाई सेंडब गैस से कुकिंग गैस को घलन करने के लिए सुविधायें ;
- (ii) मयुरा शोधनशाला ;
- (iii) कोयाली शोधनशाला में सैकण्डरी प्रोसेसिंग सुविधायें ; और
- (iv) बोंगाईगांव शोधनशाला का कोकर यूनिट ।

Dacoity in train near Nanded

1208. SHRI KESHAVRAO DHONDGE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that in September, 1978, near Nanded city in Maharashtra, some dacoits entered women's compartment of Pravasi Express and assaulted and looted women;

(b) whether it is also a fact that on this very line, a railway inspector and a railway employee were looted;

(c) who were these dacoits and the name of the gang with which they were connected and when they were apprehended; and

(d) the arrangements being made by Railway Department for the safety of the passengers?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) On 28-9-78 train No. 552 UP stopped at KM. No. 342/11-12 between Limbagaon and Nanded Railway Station on the Purna-Nanded Section on South Central Railway due to chain pulling, and 5 persons entered into a Ladies Compartment and forcibly snatched away Jewellery and wrist watch, worth Rs. 6.760 from 5 ladies.

(b) Only a railway Guard was earlier robbed of his cash worth Rs. 800 on 7-9-78 by some unknown persons at the point of dagger when he was travelling in a First Class Compartment of 581 UP Ajmer—Kacheguda Passenger train.

(c) The dacoity in the Ladies Compartment was registered by Govern-

ment Railway Police/Purna on Crime No. 79/78 under Section 393 IPC. A gang consisting of the following persons was responsible for this dacoity:—

1. Gopal S/O Vithal Bhagan, Law College Student, Nanded.

2. Naresh S/O Girbaje Gawle, Law College Student, Nanded.

3. Chandakant S/O Sambaji Suryavasi, B.A. 1st year Student, People College, Nanded.

4. Motiram S/O Laxman Bhorkete R/O Dharmabad.

5. Manick Rao Jagdev Kisale R/O Dharmabad.

All the above persons were arrested on 1-10-78 and stolen property worth Rs. 4.255 was recovered from them.

The case of the robbery from the Guard was registered by the Government Railway Police/Purna on Crime No. 69/78 under sections 341/392 IPC. The case has not been worked out so far.

(d) 1. The responsibility of ensuring the safety of passengers and the security of their belongings rests with the Government Railway Police which functions under the administrative and disciplinary control of the State Governments.

2. The GRP have intensified the preventive measures adopted by them.

3. The Minister of Railways had drawn the attention of the Chief Ministers of the Concerned States requesting them to take firm measures to curb crimes in running trains.

4. The problem of crimes affecting security of passengers and safety of their belongings was discussed in the recent conference of the Chief Ministers.

5. Though the Railway Protection Force is concerned with the protection of goods entrusted to Railways for carriage and railway materials, in order to instill confidence among the

travelling public and deter criminals from operating on trains, over 2000 armed RPF personnel have been deployed for escorting trains on vulnerable sections all over Indian Railways.

6. The Zonal Railways launched a drive to ensure strict adherence to instructions about locking of vestibuled doors between 22.00 hrs. and 06.00 hrs. Besides, travelling Ticket Examiners and Coach Attendants remain vigilant during night time and prevent entry of intruders, hawkers and unauthorised persons into the coaches.

7. Police personnel escort all affected trains running in vulnerable sections during night.

8. The Security of trains is constantly reviewed through coordination meetings between the Government Railway Police and the Railway Protection Force at various levels.

9. In the wake of robberies and dacoities in North-South-bound trains, on 16-6-78 a high level meeting was held between the officers of the Ministries of Railways and Home Affairs in which certain firm decisions such as prompt channel of communication with the police escort in the centre of the train, provision of powerful torch lights with guards and brakemen and close liaison with the States affected for stepping up police protection were taken.

10. The following further arrangements have been made by G.R.P. for safety of the passengers in the vulnerable areas on South Central Railway.

(i) "May I help you" Police Booths have been set up at important Stations of facilitate the passengers in lodging their complaints.

(ii) The Head Quarters of the Deputy Superintendent of Police Manmad has been temporarily shifted to Nanded to facilitate his supervision in the section.

Demand for a separate High Court for Tripura

1209. SHRI KIRIT BIKRAM DEB BURMAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that the Tripura Legislative Assembly had unanimously adopted in September this year a Resolution demanding that a separate High Court be set up in that State and pending the establishment of a separate High Court a permanent Bench of the Gauhati High Court be set up at Agartala in Tripura; and

(b) what is the Central Government's reaction thereto?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER):

(a) Yes, Sir.

(b) The views of the Chief Justice of the Gauhati High Court and the Governor of the North-Eastern States have been asked for on the question of having a permanent arrangement at Agartala.

Alleged Fraud by Director of N.R.C.

1210. SHRI P. M. SAYEED:
SHRI R. V. SWAMINATHAN.
SHRI RAMACHANDRAN
KADANNAPPALLI:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that former N.R.C. Director has been held responsible for defrauding the Corporation to the tune of Rs. 2.28 crores;

(b) if so, whether any enquiry has been held;

(c) if so, the findings of the inquiry;

(d) whether complaints have been lodged by the General Insurance Corporation and the Union Trust of India both having big stake in the company;

(e) if so, what are the complaints; and

(f) whether the former Director has been arrested also?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER):

(a) to (c) & (f). On the basis of an enquiry into the affairs of the company under the previous management, the Government nominated Directors have reported that Shri Sudhir Kapadia, a former Director of the Company had defrauded the company to the tune of Rs. 2.47 crores. In pursuance of the First Information Report filed on 5-11-1977 with the Commissioner of Police, Bombay for initiating appropriate criminal action against the said former Director and others, Shri Sudhir Kapadia was arrested in September, 1978. He was later released on bail and the Police investigations are still going on.

(d) and (e). An application under Section 408 of the Companies Act, 1956 was made jointly by the Unit Trust of India and the General Insurance Corporation of India addressed to the Company Law Board bringing out various irregularities and acts of mis-management committed by the previous management. The Company Law Board appointed 8 Directors on the Board of Directors of the Company by an order dated 11th July, 1977.

Cases Pending in Supreme Court and High Courts

1211. SHRI GANGA BHAKT SINGH Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are of the view that 15,000 cases have been pending since long in the Supreme Court and the various High Courts of

the country because there is a great shortage of Judges in these Courts;

(b) if so, the number of posts of judges lying vacant in each of the High Courts and the Supreme Court upto the 31st July, 1978 and since when and the reasons therefor; and

(c) the time by which these posts are likely to be filled and the reasons for which these have not been filled so far?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER):

(a) The major reason for heavy pendency of cases in the Supreme Court and the High Court is the heavy increase in the institution of cases over the years. The institutions increased from 3241 in 1960 to 14507 in 1977 in the Supreme Court and in the High Courts from 3,63,001 in 1972 to 4,54,733 in 1977 without proportionate and timely increase in the Judge Strength.

(b) A statement containing the requisite information is attached. The main reasons why some posts of High Court Judges are still vacant are that in some cases proposals have not yet been received from the State authorities and in some others the consultation that are constitutionally required are going on.

(c) Steps to fill up these vacancies as soon as possible are being taken. Proposals which have already been received are being processed. The State authorities have been reminded to expedite recommendations for vacancies for which no proposals have so far been sent. During the period 1-4-77 to 25-11-1978 as many as 90 fresh appointments have been made to the High Courts.

Statement

Sl. No.	Name of the High Court	Nos. of posts of judges lying vacant	Date from which posts are vacant	Remarks
1	Allahabad	2	21-3-1978 and 4-4-1978	
2	Andhra Pradesh	2	15-7-1978 and 17-7-1978	Since filled up
3	Bombay	2	6-4-1978 and 13-7-1978	Since filled up
4	Gauhati . . .	3	18-7-1977, 1-1-1978 & 6-4-1978	
5	Gujarati	5	26-9-1975, 31-5-1976, 5-10-1977, 28-12-1977 and 12-5-1978	
6	Himachal Pradesh	1	20-2-1978	Since filled up
7	Jammu and Kashmir	1	8-4-1978	
8	Karnataka	2	27-1-1978 and 27-4-1978	Since filled up
9	Madhya Pradesh .	3	28-2-1978, 6-7-1978 & 17-7-78	Since filled up
10	Madras .	2	29-5-1978 and 15-7-1978	
11	Punjab	3	9-9-1977, 1-11-1977 & 17-7-1978	Two vacancies have since been filled up

SUPREME COURT OF INDIA

Before 31-12-1977 the sanctioned strength of the Supreme Court was 13 Judges (excluding the Chief Justice). In view of the load of work with the Supreme Court the former Chief Justice of India had suggested an increase in the strength of the Judges of the Supreme Court by at least 2 so that 15 Judges (excluding the Chief Justice) could be in position. In view of their long trend in institution arrears to meet possible requirements of the future and therefore to obviate the need for legislation again after short period the strength of the Supreme Court Judges was increased to 17 (excluding the Chief Justice) by the Supreme Court Judges (Number of Judges) Amendment Act, 1977 which received the assent of the President on 31st December, 1977. For the present 15 judges (excluding the Chief Justice) have been appointed as proposed by the Chief Justice of India.

Applications received under MRTP Act for Manufacture of Essential Articles

1212. SHRI GANANATH PRAHDHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of applications received by Government under the MRTP Act from the period April, 1977 to October, 1978 and the number of applications rejected during this period;

(b) the names of the companies and their proposed activities for which the applications were made;

(c) whether it is a fact that some of the rejected applications contained proposals for manufacture of essential items, like Chemicals, Aluminium and pesticides etc.; and

(d) if so, the reasons for discouraging the manufacture of such items of essential nature with private investment in such a way?

THE MINISTER OF EDUCATION,
SOCIAL WELFARE AND CULTURE
(DR. PRATAP CHANDRA CHUNDER):

(a) 178 proposals were received by the Government under Sections 21, 22 and 23 of the MRTP Act, 1969 during the period 1-4-1977 to 31-10-1978. Out of those, 22 proposals were either withdrawn/closed or did not require approval under the Act, 12 have so far been approved, 9 rejected and the remaining 105 proposals are at various stages of consideration.

(b) A statement giving the names of the companies and their proposed activities for which the applications were made is laid on the Table of the House. [Placed in Library. See No. LT-2881/78].

(c) One proposal for the manufacture of pesticides and four proposals for the manufacture of Chemicals out of the proposals received during the period referred to in the Question [mentioned at Sl. Nos. 87, 110, 119, 124 and 134 of the statement referred to in part (b) above] were rejected. As for aluminium, one proposal received from M/s. Hindustan Aluminium Corporation Ltd. during the earlier period i.e. on 6-12-1976, was rejected on 14-10-77.

(d) The reasons for rejection of the proposals are given against the relevant entry in the statement referred to in part (b) above. As for the rejected proposal of M/s. Hindustan Aluminium Corporation Ltd., the main grounds of rejection are as follows:—

(1) Licensed capacity being adequate to meet domestic demand.

(2) Non-availability of power for the project.

(3) Export of this item as envisaged in the proposal would have meant exporting larger quantity of electrical energy (which is in short supply in the country).

**Strike by Workers by I.D.P.L.,
Hyderabad**

1213. SHRI K. A. RAJAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the workers of the Indian Drugs and Pharmaceuticals Limited Synthetic Drug plant at Hyderabad went on a strike recently to press for some of their demands; and

(b) if so, what are their main demands and steps taken, if any, by Government for settling their problem?

THE MINISTER OF PETROLEUM
AND CHEMICALS AND FERTILIZERS
(SHRI H. N. BAHUGUNA): (a)
Yes, Sir.

(b) The major demands are termination of the Agreement (with a validity of 3 years) entered into on March 15, 1977 with the recognised Union, revision of wage structure with particular reference to parity with the wage structure in other Public Undertakings in Hyderabad introduction of a 'proper' promotion policy, revision of leave rules, night shift allowance, bonus and incentive bonus.

Very recently, the Management of IDPL had, with the approval of Government, concluded a wage revision Agreement in respect of IDPL Rishikesh, valid for a period of 3 years from the 1st October, 1977. Since there has always been uniformity in the wage scales of all the three plants of IDPL, this settlement was expected to be uniformly applied. This has, however, not been acceptable at Hyderabad.

The Union Minister of Labour and myself met the SDP (IDPL) Workers' Union representatives on the 16th.

October, 1978 and explained to them that parity with other Public Sector Enterprises at Hyderabad was not possible and that the principle of uniformity within IDPL could not also be given up. On the question of Bonus, it was explained to them that Bonus would have to be calculated on the basis of statutory prescriptions, but that the Unions would be free to examine the figures for themselves and IDPL would also accept an examination by the Labour Ministry on this point. In the light of all these, the Union leaders were requested not to precipitate the issue by launching on a strike with effect from 17th October, 1978 in pursuance of the Notice given by them.

This was not, however, acceptable to the Union and the strike was launched with effect from October, 17, 1978.

Discussions at plant/management/Government levels are going on.

Stoppage of Kutab Narmada Express at Jaitwara Station

1214. SHRI NIRMAL CHANDRA JAIN: Will the Minister of RAILWAYS be pleased to state:

(a) for how many days in September and October, 1978 the Kutab Narmada Express both up and down was required to stop at Jaitwara and Sihora Stations in Jabalpur Division;

(b) on how many occasions was it due to the chain pulling; and

(c) was any person apprehended, prosecuted and punished for the offence of chain pulling?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). 149/150 Hazarat Nizamuddin-Jabalpur Qutab Express was stopped on the following occasions at Jaitwara and Sihora Road during September and October, 1978.

Month	149		150	
	Jaitwara	Sihora Road	Jaitwara	Sihora Road
September	6	4	2	3
October	4	2	1	1

All the above out-of-course stoppages were due to Alarm Chain pulling by miscreants.

(c) Shri Ram Sharan Mishra was apprehended for pulling Alarm Chain on 149 at Jaitwara on 16-9-1978. He was prosecuted under section 100A of Indian Railway Act and fined Rs. 100.

Drilling Bodra Well

1215. SHRI DINEN BHATTACHARYA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state the reasons of spending more than 10 lakhs of

rupees by the Oil and Natural Gas Commission in order to complete civil engineering works, workshop etc. of drilling Bodra Well No. 3 and 4 and then dropped the plants?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): An expenditure of Rs. 4,036 lakhs was incurred to complete civil works etc. at the site of Bodra Well No. 3 No expenditure was incurred at the site of Bodra Well No. 4.

To prepare a location for drilling land for the drill site and approach

road has to be acquired and rig foundations, approach road, storage sheds etc. have to be constructed. Also, water supply has to be arranged. This preparatory work normally takes a very long time. Therefore, when drilling is undertaken at a location in an area, another location in the area is normally released well in time and the above-mentioned preparatory action is taken, to ensure that the location is ready for drilling, by the time the drilling at the previous location is completed. It was for this reason, that a location for Bodra No. 3 was released, about 1½ km. east of Bodra No. 1. The location was released, about 6 months after the spudding in of Bodra No. 1. Drilling of Bodra 3 would have been necessary to delineate the oil/gas pool, if such a pool had been met with in Bodra-1. Since Bodra-1 well turned out to be dry, the drilling at locations Bodra-3 and Bodra-4 had to be dropped on geological grounds.

Steps to Review working of Law Commission

1216, SHRI VIJAY N. PATIL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state special steps taken/proposed if any to review the working of Law Commission and reorient/restructure its functioning for quick follow up procedure?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): When the Eighth Law Commission was reconstituted in 1977, the terms of reference to the Law Commission were revised so as to give priority to the task of reforming judicial administration. There is no proposal now to review the working of the Law Commission or to reorient/restructure its functioning. The Law Commission was reconstituted for a period of three years with effect from 1st September, 1977 to 31st August, 1980.

Cases of Robberies in Running Trains

1217. SHRI PRADYUMNA BAL:
SHRI VIJAY KUMAR
MALHOTRA:
SHRI S. R. REDDY:
SHRI ISHWAR CHAUDHRY:
SHRI MADHAVRAO
SCINDIA:

Will the Minister of RAILWAYS be pleased to state:

(a) the number of cases of armed men robbing passengers in running trains reported during 1977-78 and upto 31st October, 1978 on various railway zones;

(b) the amount of loss of passenger property due to these robberies;

(c) whether some persons have been killed by the robbers;

(d) whether Government have paid any compensation to them;

(e) the number of robbers so far arrested and the action taken against them; and

(f) the efforts made or being made to apprehend the remaining culprits?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) During 1977-78, 262 cases of robberies and dacoities in running trains were reported. From April 1978 to 31st October 1978, 128 cases of robberies and dacoities in running trains have been reported by the State Police Authorities.

(b) The amount of loss of passenger property due to these robberies and dacoities during 1977-78 is Rs. 6,03,827 and from April 1978 to October 1978 is Rs. 5,37,691.

(c) Two persons were killed during 1977-78 and 2 during April 1978 to October 1978 in these incidents.

(d) As per the existing rules, no compensation is admissible to the victims of such crimes.

(e) 489 culprits have been arrested during 1977-78 and 211 during April 1978 to October 1978. The cases are being investigated by the State Police Authorities.

(f) Vigorous efforts are being made by the State Police Authorities to apprehend the remaining culprits.

Notice Issued by MRTPC to certain Companies on issue of Advertisements

1218. SHRI P. K. KODIYAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Monopolies and Restrictive Trade Practices Commission has issued show cause notices

to three giant companies questioning their advertisements expenses; and

(b) if so, the details and their response thereto?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). Yes, Sir. The Monopolies and Restrictive Trade Practices Commission has issued notices of enquiry to four companies under Section 10(a) (iv) of the MRTPA Act, 1969 concerning *inter-alia* the high advertising expenditure incurred by them. Details of the same are indicated in the attached statement. All the four companies have entered memorandum of appearance and a reply has also been received by the Commission from Britannia Biscuit Company Limited. The replies from the other companies are awaited. All the enquiries are pending determination by the MRTPA Commission.

Statement

S. No.	Name of the Company	Date of Enquiry	Section of Enquiry
1	2	3	4
1	The Britannia Biscuit Company Limited	17-2-1977	10(a)(iv)
2	M/s. Richardson Hindustan Limited	30-8-1978	10(a)(iv)
3	M/s. Amrutanjan Limited	20-9-1978	10(a)(iv)
4	M/s. Pacle Products Pvt. Ltd.	29-8-1978	10(a)(iv)

Man Power for proper functioning of M.R.T.P. Commission

1219. SHRI M. KALYANASUNDARAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that M.R.T.P. Commission lacks sufficient manpower and other facilities for its true and proper functioning; and

(b) if so, the details and measures proposed to be taken to make it an effective instrument?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). Having regard to the existing functions of the M.R.T.P. Commission, adequate manpower and other facilities have been provided to it. A new Member of the Commission is expected to join by the middle of December, 1978 against the only vacant

post. There are 4 Group 'A' posts vacant at present in the Commission. Appointment order against one of these posts is being issued and the other three will be filled up as soon as recommendations from the Union Public Service Commission are received. The M.R.T.P. Commission itself is competent to fill up other sanctioned posts.

The High Powered Expert Committee under the Chairmanship of Justice Shri Rajinder Sachar has, in its report, made certain recommendations for restructuring the existing administrative set-up of the M.R.T.P. Commission. These recommendations are under consideration and appropriate measures, including legislative amendments, as may be considered necessary, will be taken in due course.

Proposal to Check Miscellaneous Expenditure of Big Business Houses

1220. SHRI HALIMUDDIN AHMED: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are proposing to make a rule to check the Big Business Houses from making miscellaneous expenses from their companies accounts as huge amounts of money of companies are misused and it is a source of making black money in circulation and it helps creating black marketing; and

(b) if not, the steps that Government are going to keep a watch on the miscellaneous expenses by the Big Business Houses thereof?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) No, Sir.

(b) In so far as big business houses that are companies incorporated under the Companies Act, 1956, are concerned, the Government consider that the provisions contained in section 227 read with Schedule VI of the Companies Act, 1956 together with the Powers of Inspection under section 209A of the Act are adequate to keep effective watch in this behalf on such companies.

रेलगाड़ियों का बन्द रहना

1221. श्री मृत्युञ्जय प्रसाद : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर, पूर्वोत्तर तथा पूर्व रेलवे पर कौन-कौन सी गाड़ियां 1 जुलाई, 1978 से 31 अक्तूबर, 1978 की अवधि में किस तारीख से किस तारीख तक और कहाँ से कहाँ तक बन्द रही तथा इसके क्या कारण हैं ; और

(ख) क्या दिनांक 1 नवम्बर, 1978 से उपर्युक्त रेलवे जोनों में सभी गाड़ियां चालू हो गई हैं ; यदि नहीं, तो इसके क्या कारण हैं तथा उनमें से कौन-कौन सी गाड़ियां कब तक चालू हो जाएंगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) और (ख). सूचना रेलों से इकट्ठी की जा रही है और सभा-घटल पर रख दी जायेगी।

नाइजीरिया को तकनीकी जानकारी उपलब्ध कराना

1222. श्री राम सेंबेक हबारी : कुमारी
अनन्तन : क्या रेल मंत्री यह बताने की कृपा
करेंगे कि :

(क) क्या भारत ने नाइजीरिया को रेलवे
के कार्यकरण के बारे में तकनीकी जानकारी देने पर
सहमति प्रकट की है ;

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है ;
और

(ग) इस बारे में भारत को मिले ठेके की रूप-
रेखा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव
नारायण) : (क) जी हां।

(ख) और (ग) करार के महत्वपूर्ण प्रावधान
इस प्रकार हैं :—

(1) नाइजीरिया रेलवे कारपोरेशन के महाप्रबन्धक
के स्तर सहित शीर्ष एवं मध्यवर्ती प्रबंध स्तरों
पर महत्वशाली पदों पर नियुक्ति के लिए
36 विशेषज्ञों का एक प्रबंधक दल प्रतिनियुक्त
किया जाएगा। दल के सदस्य भारतीय रेलों
के विभिन्न विभागों से लिये गये विशेषज्ञ होंगे।

(2) प्रबंध दल की सहायता के लिए एक कृतिक दल
होगा, जिसमें 398 तकनीकी कार्मिक होंगे जो
भारतीय रेलों के कनिष्ठ प्रबन्ध एवं तकनीकविद
स्तरों से लिये गये हों। कृतिक दल के ये सदस्य,
स्थानीय कर्मचारियों को प्रशिक्षण देने के साथ-
साथ वहां की रेल प्रणाली को सुदृढ़ बनाने
और पुनःस्थापित करने तथा परिचालनिक कार्य-
निष्पादन में सुधार लाने से संबंधित नाजुक
कार्यक्षेत्रों में लगाये जायेंगे।

(3) ठेका तीन वर्षों की अवधि का होगा। इस
अवधि के दौरान यह दल अपने को विभिन्न कामों
पर लगायेगा और कतिपय विनिर्दिष्ट लक्ष्यों की
प्राप्ति के लिए प्रयत्नशील होगा, बशर्ते उनके
लिए अभिरात निवेश की निरन्तर प्राप्ति होती
रहे।

यह ठेका लगभग 20 करोड़ रुपये मूल्य का है
जिसमें लगभग 6 करोड़ रुपये का व्यावसायिक शुल्क
भी शामिल है।

Wagon Shortage in Southern Railways for movement of Salt

1223. SHRI C. N. VISVANATHAN:
Will the Minister of RAILWAYS be
pleased to state:

(a) whether it is a fact that there
is a shortage of wagons in Southern
Railways for movement of salt;

(b) whether priority for allotment
of wagons goes to fertilisers and not
salt; and

(c) what steps do Government
propose for more rapid movement of
salt which is a vital commodity?

THE MINISTER OF STATE IN THE
MINISTRY OF RAILWAYS (SHRI
SHEO NARAIN): (a) The total
loading of edible salt programmed by
the Salt Commissioner from the Sou-
thern Railway during the period
January to October 1978 was 12,089
wagons as compared to 9,202 wagons
during the corresponding period of
last year. There was thus an increase
in the loading of programmed salt from
the Southern Railway during the cur-
rent year. There was, however, a
short-fall in the loading of industrial
and non-programmed salt from the
Metre Gauge stations in the current
year due to lower priorities assigned
to them and also due to the substantial
increase in the quantity of cement and
fertilizers which had to be loaded in
preference, consequent upon the im-
port of these commodities in greater
quantities in the Southern ports, over
the routes on which salt was also re-
quired to be moved.

(b) Yes, when fertilizers are moved
on Central Government account.

(c) Adequate steps are being taken
to ensure increased loading of salt by
organising movement in block rakes.

नये कुकिंग गैस संयंत्र की स्थापना

in Rajdhani Express from Howrah to Delhi;

1224. श्री राजेन्द्र कुमार शर्मा : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(b) whether Members of Parliament and other class passengers have to travel A.C. chairs which is lower than First Class and becomes most inconvenient in night journeys; and

(क) क्या सरकार ने नया कुकिंग गैस संयंत्र स्थापित करने के बारे में निर्णय कर लिया है और यदि हाँ, तो यह संयंत्र किस राज्य में स्थापित किया जायेगा ;

(c) whether he in realisation of the difficulties see that first class or 2 tier second class express are also attached in Rajdhani Express; if not, why?

(ख) इसके निर्माण कार्य पर कुल कितना व्यय होगा और संयंत्र कब तक कार्य करना आरम्भ कर देगा ; और

(ग) उक्त संयंत्र से कितने उपभोक्ता लाभान्वित होंगे ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAY (SHRI SHEO NARAIN): (a) Yes. Howrah-New Delhi Rajdhani has five A.C. Chair Car Coaches and one 1st A.C. Sleeper coach for which enhanced fares are levied applicable only to Rajdhani Express. On account of its high speed, only specially built coaches can be attached to this train. The fare for 2nd A.C. Sleeper or first class coaches, if the required type of coaches are available for attachment to this high speed train, will have to be fixed at a rate higher than the first class fares on other trains on the Howrah-Delhi route.

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्रीहेमवती नन्दन बहुगुणा): (क) अक्टूबर, 1978 में सरकार ने प्रतिवर्ष 1,68,000 मी० टन तरल पेट्रोलियम गैस, जो कि बम्बई हाई संवद्र गैस से प्राप्त होगी, की विपणन संबंधी सुविधाओं को जुटाने के लिए हिन्दुस्तान पेट्रोलियम कार्पोरेशन लि० और भारत पेट्रोलियम कार्पोरेशन लि० के एक संयुक्त प्रस्ताव का अनुमोदन किया। इन सुविधाओं में बड़े-बड़े वाटलिंग संयंत्र और बम्बई तथा हैदराबाद और बंगलौर में अन्य देहाती स्थानों पर भण्डारण क्षमता की स्थापना सम्मिलित होगी।

(ख) इस परियोजना, जिसे कार्यान्वित किया जा रहा है, पर 58.15 करोड़ रु० की लागत आने का अनुमान है और इसके वर्ष 1980-81 तक पूरा होने की आशा है।

(b) and (c) (i) Rajdhani Express is running with maximum permissible load and is well patronised by the travelling public. Provision of A.C. 2nd sleeper will have to be in lieu of one of the existing A.C. Chair Cars which will reduce the carrying capacity of the train by 25 passengers which is not desirable particularly as the waiting list on Rajdhani Express is very heavy.

(ग) इस परियोजना के परिणामस्वरूप देश में तरल पेट्रोलियम गैस की उपलब्धता में पर्याप्त वृद्धि हो जायेगी। परियोजना के पूरा हो जाने पर 1.14 मिलियन तरल पेट्रोलियम गैस की सप्लाई के लिये नये बाहकों का नाम पंजीकृत किया जायेगा।

Non-Availability of first Class in Rajdhani Express from Calcutta to Delhi

1225. SHRI B. P. MANDAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether he is aware that there is neither I Class nor equivalent class

(ii) The first class passengers desirous of availing of sleeping facilities on New Delhi/Delhi-Howrah route can conveniently travel by A.C. second sleepers provided on 1 Up/2 Dn Howrah-Delhi-Kalka Mail (daily) and A.C. Express (5 days a week).

Reservation Charges in Purvanchal Express

1226. SHRI D. N. TIWARY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that reservation charges on 47 UP/48 Dn Shant-e-Avadh between Lucknow and Gorakhpur, and 49 Up/50 Dn Purvanchal Express between Varanasi and Gorakhpur were withdrawn from June, 1976;

(b) whether it is a fact that there was neither reservation charge nor super fast charge from June, 1976 to June, 1978;

(c) the reasons for North-Eastern Railway introducing the surcharge of 25 paise in Second Class and Re. 1.25P. in First Class without the sanction of the Railway Board;

(d) the total amount collected due to this illegal surcharge;

(e) whether the amount collected will be returned to the passengers from whom it has been collected; and

(f) if not, the fate of the amount collected by surcharge?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) No.

(c) These express trains had initially been classified as Super fast trains and a supplementary surcharge of Rs. 5/- for 1st class and Re. 1.50 P for 2nd class was levied besides usual reservation charge. In view of initial poor patronage, the supplementary surcharge was withdrawn, but the reservation charge continued as this facility was provided. Reservation charges were subsequently withdrawn as these trains were converted into non-reserved trains to cope with heavy overcrowding as they had now become extremely popular trains. The North-

Eastern Railway Administration, however, decided to levy a surcharge of 25 paise for second class and Re. 1.25 P for first class with effect from 25-6-1978 with a view to offsetting the loss on account of withdrawal of reservation charges and on the consideration that these trains are prestigious inter-city fast expresses. As the levy of this surcharge was not in accordance with the extent policy, the surcharge was withdrawn with effect from 22-8-1978 under orders of the Ministry of Railways.

(d) to (f). This information is not readily available and the amounts collected by way of the surcharge have already been credited to the Railway Revenues. Refund of surcharge is not feasible, as there is no record of passengers who had purchased tickets for these trains and paid surcharge.

Amraoti in Nagpur-Bombay Main Line

1227. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the proposal regarding getting Amraoti on Nagpur-Bombay main line is lingering far behind the schedule;

(b) if so, furnish details of the time schedule fixed for the implementation of the proposal and the expenditure incurred during the current year against the funds allocated; and

(c) details of the steps taken/proposed to ensure early finalisation of the proposal and its speedy execution?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Investigations for bringing Amravati on Bombay-Nagpur main line was carried out in 1977-78. The project was estimated to cost around Rs. 5 crores and was not found to be viable. Introduction of sectional through coaches from Amravati to various destinations for the

convenience of the people of Amravati was recommended. The recommendation has been accepted and the Central Railway has been asked to implement it.

Classless Trains

1228. SHRI SHANKERSINHJI VAGHELA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of classless trains introduced so far on the Indian Railways;

(b) their particulars in full;

(c) whether it is proposed to run more classless trains; and

(d) if so, the particulars thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Besides the Janata/Jayanti Janata trains, the following long distance trains consisting of only second class accommodation have been introduced so far:—

(1) 91/92 Tantanagar-Muzaffarpur Express (triweekly).

(2) 29/30 Tirupati-Hyderabad Rayalseema Exp. (daily).

(3) 59/60 Bombay VT-Howrah Gitanjali Express (4 days in the week).

(4) 145/146 Madras-Ahmadabad Navajivan Express (weekly).

(5) 173/174 Howrah-Jammu Tawi Himagiri Express (biweekly).

(6) 19/20 Bhubaneswar-Secunderabad Konarak Express (daily).

(7) 101/102 Secunderabad-Bombay Minar Express (daily).

(8) 135/136 Madras Egmore-Madurai Vaigai Exp. (6 days in the week).

(9) 69/70 Kacheguda-Ajmer Express (biweekly).

(10) 45/46 Ahmadabad-Bhavnagar/ Porbandar Gandhigram Exp. (daily).

(c) and (d). It is the policy of the Railways that all long distance trains to be introduced hereafter will have only second class accommodation.

कुकिंग गैस प्राप्त करने में कठिनाई

1229. श्री हरीशंकर महाले: क्या पेट्रोलियम रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या लोगों को कुकिंग गैस के कनेक्शन लेने में भारी कठिनाई हो रही है ;

(ख) यदि हाँ, तो कुकिंग गैस की कमी दूर कर न में कितना समय लगेगा और क्या यह गैस ग्रामीण क्षेत्रों में भी सप्लाई की जायेगी ; और

(ग) क्या इसकी वितरण प्रणाली में सुधार किये जाने का विचार है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती लखन बहुगुणा): (क) और (ख). इस समय शोधनशालाओं में द्रव उत्पाद के वर्तमान उत्पादन पर आधारित इस उत्पाद की उपलब्धता की अपेक्षा खाना पकाने की गैस की वर्तमान मांग कहीं अधिक है। तकनीकी असफलताओं, श्रमिक समस्याओं आदि जैसी विभिन्न बातों के कारण प्रथवा परिवहन समस्याओं आदि के कारण जब सप्लाई की व्यवस्था पूरी तरह से नहीं की जा सकती, इन कारणों से शोधनशाला में इस उत्पाद के उत्पादन पर जो प्रभाव पड़ता है उसको छोड़ कर तरल पेट्रोलियम गैस के वर्तमान उपभोक्ताओं की सिलेण्डरों में गैस की रिफिल आवश्यकताओं को ग्राम तौर पर पूर्णरूपेण पूरा किया जाता है। तरल पेट्रोलियम गैस की उपलब्धता की अपेक्षा इसकी बढ़ती हुई मांग को ध्यान में रखते हुए तेल कंपनियों के लिए एक विशेष पैमाने पर तरल पेट्रोलियम गैस के नए कनेक्शन प्रदान करना संभव नहीं हो पाया है और इसीलिए नए गैस कनेक्शन प्राप्त करने वालों की एक बड़ी प्रतीक्षा सूची बन गयी है। खाना पकाने की गैस के संबंध में इस उत्पाद की मांग को काफी हद तक संतोषजनक ढंग से वर्ष 1980-81 में पूरा करना संभव हो सकेगा, जब बम्बई हाई गैस से तरल पेट्रोलियम गैस का उत्पादन करने के लिए विखण्डन यूनिटों के संचालन, मथुरा शोधनशाला के आरम्भ होने और कोयाली शोधनशाला में तेल साफ करने वाले गैण एककों तथा वोंगाईगांव शोधनशाला में कोकर यूनिट के काम आरम्भ करने के परिणामस्वरूप यह उत्पाद पर्याप्त मात्रा में उपलब्ध होने लग जायेगा। तत्पश्चात्

निम्नलिखित महत्वपूर्ण विचारधाराओं के आधार पर तेल कम्पनियों के लिए तरल पेट्रोलियम गैस के विपणन का विस्तार छोटे-छोटे कस्बों और ग्रामीण क्षेत्रों तक करना संभव हो सकेगा :

- (i) प्रत्यागित माहक क्षमता ;
- (ii) मल्टी माधन से बाजार की दूरी ;
- (iii) मुरझित तथा वाणिज्यिक स्वरूप के परिवहन की उपलब्धता ;
- (iv) वितरण उपकरणों का अधिकतम उपयोग ; और
- (v) कार्य संचालन की व्यवहार्यता ।

(ग) खाना पकाने की गैस की मल्टी के संबंध में अधिकांश समस्याएँ इस उत्पाद की मांग की तुलना में इसके अपर्याप्त मात्रा में उपलब्ध होने से उत्पन्न होती हैं । खाना पकाने की गैस की मल्टी में वर्ष 1980-81 से एक विशेष पैमाने पर वृद्धि हो जाने की आशा है । वर्तमान विवरणों की मितव्ययी और कुशल कार्य संचालन की ध्यान में रखते हुए तरल पेट्रोलियम गैस के प्रत्येक विवरण के लिए हर मास गैस से पुनः भरे सिलिण्डरों की मल्टी करने की अधिकतम संख्या के संबंध में सीमाएं तय कर दी गयी हैं । वर्तमान बड़े-बड़े विवरणों का तदनुसार इन सीमाओं के अनुरूप बना दिया जायेगा ।

Multinational Concerns Manufacturing Pesticides

1230. SHRI AHMED M. PATEL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of multinational concerns which are dealing with the manufacture of pesticides in India;

(b) whether any of them have applied for its expansion; and

(c) if so, the decision taken by Government of India in their application?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The names of the Companies in the organised sector having more than 40 per cent direct foreign equity, engaged in the manufacture of technical grade pesticides are as follows:—

1. Ciba Geigy of India Limited, Bombay.

2. Cynamid (India) Limited, Bombay.

3. Sandoz (India) Limited, Bombay.

4. Bayer (India) Limited, Bombay.

5. Alkali and Chemicals Corporation of India Limited, Calcutta.

6. Union Carbide India Limited, Bombay.

7. Indofil Chemicals of India Limited, Bombay.

The following Companies having more than 10 per cent direct foreign equity are making only formulations of imported technical grade pesticides:

1. Hoechst Pharmaceuticals of India Limited, Bombay.

2. Monsanto Chemicals of India Limited, Bombay.

3. BASF India Limited, Bombay.

(b) and (c). M/s. Ciba Geigy of India had applied for manufacture of Diazinon technical. This application was rejected by the Government after due consideration. Their representation against such rejection has also been rejected. No other application from any of the above companies has been received so far during 1978.

Remittances Abroad by Foreign Drug Firms

1231. SHRI D. AMAT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details of remittances abroad by the foreign drug firms operating in India during the last three years;

(b) whether Government propose to restrict the remittance of profit abroad by these companies; and

(c) what are the assets built up by these companies in India after remittance of profit abroad?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (c). A statement furnishing the requisite information for the years 1974/1974-75, 1975/1975-76 and 1976/1976-77, in respect of foreign drug companies in the organised sector having direct foreign equity exceeding 40 per cent, is laid on the Table of the House. [Placed in Library. See No. LT-2882/78].

(b) Repatriation of profits etc. is permitted in terms of relevant statutory/regulatory provisions applicable to such foreign companies in all Sectors of industry.

Passenger Halt at Tankapani

1232. **SHRI AINTHU SAHOO:** Will the Minister of RAILWAYS be pleased to state:

(a) whether there is a proposal to open a new passenger halt at Tankapani in the S. E. Railway between Waltair to Raipur near Hamistankar Road (ORISSA BOLANGIR); and

(b) if so, when is it going to be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) The proposal is under examination by South Eastern Railway and a decision will be taken as soon as possible.

Production of Linear Alkyl Benzene by IDPL for Manufacture of Detergents

1233. **SHRI C. K. CHANDRAPPAN:** Will the Minister of PETROLEUM,

CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether the IDPL has developed a new material called linear alkyl benzene for manufacturing detergents;

(b) if so, the details thereof;

(c) whether Government have a proposal under consideration to use this new material exclusively in the Small Scale detergents manufacturing; and

(d) if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). No, Sir. However, Indian Petrochemicals Corporation Limited has been licensed to manufacture 30,000 tonnes per annum of linear alkyl benzene based on process know-how from M/s. Universal Oil Products, USA and is likely to commence production shortly.

(c) No, Sir.

(d) Does not arise.

New Fertilizer Complex in Maharashtra

1234. **SHRI A. BALA PAJANOR:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) particulars of the final decision taken in regard to the location of the new fertilizer complex in Maharashtra;

(b) the estimated cost of the project and the cost escalation due to the long delay in decision; and

(c) whether in the proposed location care has been taken to reduce pollution hazards?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILI-

ZERS (SHRI H. N. BAHUGUNA):

(a) Government have decided to locate the fertilizer complex at Thal Vai-Shet in the Kolaba district of Maharashtra.

(b) The project is not expected to cost around Rs. 570 crores as against the tentative estimate of Rs. 491.35 crores made in November, 1977. The increase in cost is mainly on account of larger urea capacity, higher captive power generating capacity, more elaborate arrangements for effluent treatment and environmental development and escalation in the cost of the plant and equipment due to time lag.

(c) Yes, Sir. Every care will be taken to keep pollution levels to the barest minimum.

Inquiry initiated by MRTP Commission against certain undertakings

1235. SHRI MUKHTIAR SINGH MALIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the inquiry initiated by the MRTP Commission in respect of certain undertakings under Section 27(1) of the MRTP Act, which was stopped sometime back has again started; and

(b) if not, what are the reasons thereof?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) A reference under Section 27(1) of the MRTP ACT, 1969 was made by the Central Government to the MRTP Commission on the 2nd December, 1975, in regard to the following three companies:—

(1) The Andhra Prabha (Private) Limited, Vijayawada.

(2) The Indian Express Newspapers (Bombay) Private Limited, Bombay.

(3) The Indian Express (Madurai) Private Limited, Madurai.

On a representation from these companies, the matter was reconsidered in consultation with the Department of Legal Affairs and after careful consideration of all the facts and circumstances of the case, the Central Government decided to rescind the original reference vide its order of the 9th December, 1977. A copy of the said order which speaks for itself is laid on the Table of the House. [Placed in Library See No. LT-2883/78].

(b) In view of the reference having been rescinded by the Government, the question of starting the inquiry again by the MRTP Commission does not arise.

जयपुर-टोंडारामसिंह लाइन का बढ़ाया जाना:

1236. श्री राय कंवर देरया : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जयपुर टोंडारामसिंह रेलवे लाइन को कोंडा और चित्तौड़ तक बढ़ाने का विचार है ;

(ख) यदि हाँ, तो क्या इस रेलवे लाइन पर देवली कम्ब, देवली छावनी या केकड़ी की मंडी आदि स्टेशनों के बन जाने से यात्रियों का सुविधा मिलने के साथ-साथ रेलवे आय में वृद्धि होगी ; और

(ग) यदि हाँ, तो इस सम्बन्ध में निर्णय और आवश्यक सर्वेक्षण कब तक किया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) ऐसा कोई प्रस्ताव फिलहाल विचाराधीन नहीं है।

(ख) और (ग) प्रश्न नहीं उठता।

मयूरा स्थित तेल शोधक कारखाने के निर्माण कार्य में हुई प्रगति

1237. श्री यमना प्रसाद शास्त्री : क्या पेट्रो-लियम रसायन, और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) मयूरा स्थित तेल शोधक कारखाने के निर्माण कार्य में अब तक कितनी प्रगति हुई है और इसमें तेल शोधन का कार्य कब से प्रारम्भ हो जायेगा और इसके कार्यकरण के प्रथम चरण के दौरान तेल की कितनी मात्रा प्रति माह शोधित की जायेगी ;

(ख) क्या इस प्रयोजनाथे पाइप लाइन विधाने का कार्य शुरू हो चुका है और यदि हाँ, तो कब तक पूरा हो जायेगा ; और

(ग) इस तेल शोधक कारखाने के कारण यमुना नदी के पानी तथा ताजमहल को किसी क्षति से बचाने के लिये क्या कदम उठाये जा रहे हैं ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा): (क) अक्टूबर, 1978 तक मथुरा शोधनशाला के निर्माण कार्य में 49% प्रगति हुई है और 1980 के शुरू शुरू में इसको संचालित करने का कार्यक्रम है। परन्तु मजदूर अशान्ति बाढ़ और रूस के मप्लाई करने वालों से कुछ सामग्रियों की देरी से भेजने के कारण कुछ कठिनाइयों का सामना करना पड़ा है और परियोजना निर्धारण पर इनके प्रभाव का मूल्यांकन किया जा रहा है। शोधनशाला को आरम्भ करने से 0.5 मि०मी० टन प्रतिमाह की औसत पर 6 एम०टी०पी०ए० कच्चे तेल का शोधन करने की आशा की जाती है।

(ख) मथुरा शोधनशाला की तेल संबंधी आवश्यकताओं को पूरा करने के लिए विरमगम और मथुरा के बीच कच्चे तेल की पाइपलाइन को जोड़ने वाली पाइपलाइन का इस समय निर्माण किया जा रहा है और इस पाइपलाइन के निर्माण संबंधी कार्यक्रम को मार्च, 1980 तक पूरा हो जाने की आशा है।

(ग) तरल निस्सारों को साफ करने के लिए शोधनशाला के एक भाग के रूप में निस्सारों को साफ करने का संयंत्र स्थापित किया जा रहा है ताकि राज्य सरकारों और ग्राई०एस०आई० द्वारा निर्धारित कोटि विनियमन को पूरा किया जा सके। इसके साथ ही विभिन्न क्षेत्रों में मथुरा शोधनशाला के पर्यावरण प्रभाव के प्रतिकूल उठी आशंकाओं को देखते हुए शोधनशाला प्रदूषण प्रभाव को नितान्त रूप से न्यूनतम करने के लिए प्रायोजना प्राधिकारियों को किये जाने वाले उपायों के बारे में सलाह देने और पेट्रोलियम मंत्रालय को अन्य गौण तथा डाउनस्ट्रीप उद्योगों के प्रदूषण पहलुओं के बारे में सलाह देने के लिए सरकार ने जुलाई 1974 में एक विशेषज्ञ समिति नियुक्त की। इस समिति की रिपोर्ट, जिसे संसद के दोनों सदनों में 14-8-1978 को प्रस्तुत किया गया था, इस समय सरकार के विचाराधीन है।

Siesmic Surveys in West Bengal by Oil and Natural Gas Commission

1238. SHRI SAMAR MUKHERJEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether he is aware that the Oil and Natural Gas Commission took more than 5-1/2 years time i.e. 1969

to 1975 for siesmic surveys in order to locate oil structure in West Bengal; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZER (SHRI H. N. BAHUGUNA): (a) and (b). Seismic survey work is of a continuous nature and is carried out as per tactical requirements. Seismic surveys were started by the ONGC in West Bengal in 1961-62 and these surveys are continuing even at present with the latest sophisticated equipment in various parts of West Bengal with a view to explore suitable structures for hydrocarbons.

Examination of Annual Reports of M/s. Porrits and Spencer (Asia) Limited

1239. SHRI ANANT DAVE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether annual reports of M/s. Porrits and Spencer (Asia) Limited Faridabad, have been examined by Government;

(b) whether it is a fact that frequent changes of directors on the board of directors of the company shown during the past 5 years in the annual reports was without the sanction of the Government; and

(c) if so, what action Government have taken or propose to take against the company for arbitrary action on part of the company?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) to (c). It is understood that Hon-ble Member is referring to the annual returns filed by the company with the Registrar of Companies. From the annual returns of last five years it appears that there are changes in company's board of directors. But direc-

tors generally are elected by the shareholders in the annual general meeting of a company and approval of Central Government is needed only where the proposed appointee in the case of a public company or a private company which is a subsidiary of a public company, is a Managing Director/whole Time Director or otherwise proposed to be remunerated apart from sitting fee. Appointment of certain persons as Whole-time Director/Chairman/Dy. Chairman in this company has, however, been approved from time to time by the Central Government under the relevant provisions of the Companies Act, 1956.

Voting Age

1240. SHRI K. T. KOSALRAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many States and Union Territories have reduced the voting age for elections to Panchayats and local bodies; and

(b) what is the position on voting age in other countries?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) According to the information received from the State Governments, Andhra Pradesh, Bihar, Gujarat, Kerala, Himachal Pradesh and Madhya Pradesh have reduced the minimum voting age for panchayat elections from 21 years to 18 years and Gujarat, Kerala and Rajasthan have reduced the minimum voting age for elections to municipal corporations/municipalities from 21 years to 18 years.

(b) A statement containing the required information, according to available records, is laid on the Table of the House.

Statement

Statement showing the minimum Voting age of different countries

Country	Age
Argentina	. 18 years
Australia	. 18 years
Austria	. 19 year
Bangla Desh	18 years
Belgium	. 21 years
Brazil	. 18 years
Bulgaria	. 18 years
Cameroon	. 21 years
Canada	. 18 years
Costa Rica	18 years
Czechoslovakia	. 18 years
Denmark	. 20 years
Fiji	. 21 years
Finland	. 18 years
France	. 18 years
German Democratic Republic	. 18 years
Germany (Federal Republic of)	. 18 years
Hungary	. 18 years
India	. 21 years
Ireland : Dail Eireann	. 18 years
Senate	. 21 years
Israel	. 18 years
Italy Chamber of Deputies	Senate- 25 years
Ivory Coast	. 21 years
Japan	. 20 years
Jordan	. 20 years
Kuwait	. 21 years
Liechtenstein	. 20 years
Malawi	. 21 years

Country	Age
Malaysia	. 21 years
Malta	. 21 years
Monaco	. 21 years
New Zealand	. 20 years
Norway	. 20 Years
Netherlands	. 18 years
Pakistan	. 18 years
Poland	. 18 years
Republic of Korea	20 years
Romania	. 18 years
Senegal	. 21 years
Sirra Leone	21 years
South Africa	. 18 years
Spain	
Representatives of Employer's and Worker's Organisation	. 21 years
Representatives of local Administration	. 23 years
Representatives of the Family	*21 years
Representation of Scientific Institutions	. 21 years
Representatives of Associations, Colleges and Chambers	. 21 years
Sri Lanka	18 years
Sweder	. 18 years
Switzerland @	. 20 years

*The age limits is reduced to 18 for emancipated minors

@Information is applicable to the National Council. The electorate's qualifications for the Council of States are determined by each canton.

Country	Age
Syrian Arab Republic	. 18 years
Tunisia	. 20 years
USSR	. 18 years
United Kingdom	18 years
United States of America	. 18 years
Viet Nam	. 18 years
Zaire	. 18 years
Zambia	. 18 years

Measures for Safe Railway Journey discussed at Conference of Chief Ministers

1241. SHRI UGRASEN:

Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that during the Conference of Chief Ministers held recently in New Delhi the item of stepping up police protection to ensure safe and more secure railway travel had come up for discussion; and

(b) if so, the conclusions arrived at on this subject in the conference?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The subject of ensuring safe and more secure railway travel was discussed in the Conference of Chief Ministers held recently in New Delhi. During discussion the following views were expressed in the Conference:

(i) The strength of the Government Railways Police should be augmented.

(ii) Recommendations of the Kripal Singh Committee for checking crime on trains and tampering with the track should be implemented; and

(iii) State should consider giving Police powers to the Railway Protection Force.

रेलवे बोर्ड में स्टाफ डीलिंग शाखाओं में अधिकारी एवं सहायक

1242. श्री रामानन्द तिवारी : क्या रेल मंत्री यह बनाने की कृपा करेंगे कि :

(क) रेलवे बोर्ड में उन अधिकारियों एवं सहायकों के अनुभाग-वार, नाम क्या हैं जो स्टाफ डीलिंग तथा 'पब्लिक डीलिंग' अनुभागों में लगानार पांच वर्षों से अधिक समय से पदासीन हैं ;

(ख) क्या एक ही अनुभाग में लम्बी अवधि तक पद स्थापित होने के कारण कर्मचारियों को न्याय नहीं मिल पाता है और अधिकारी मनमानी करने

(ग) क्या ऐसी कोई प्रावधान है कि किसी कर्मचारी को एक ही अनुभाग में पांच वर्षों से अधिक समय तक न रहने दिया जाए क्योंकि एक ही स्थान पर रहने से एकाधिकार की प्रवृत्तियाँ पनपती हैं ;

(घ) यदि उपरोक्त भाग (ख) और (ग) का उत्तर स्वाकारत्मक है, तो क्या सरकार का विचार ऐसे माहृत्यों और अधिकारियों का स्थानान्तरण करने का है जो एक ही अनुभाग में पांच वर्षों से अधिक समय से कार्य कर रहे हैं ;

(ङ) यदि हाँ, तो कब तक और यदि नहीं, तो इसके विस्तृत कारण क्या हैं ; और

(च) क्या इतनी लम्बी अवधि तक लगातार ऐसे महत्वपूर्ण अनुभागों में सहायकों और अधिकारियों का बना रहना वांछनीय है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) जन सेवा संगठन के रूप में भारतीय रेलों के संचालन पर नजर रखते हुए, मंत्रालय के रूप में रेलवे बोर्ड के सभी अनुभाग कर्मचारियों के मामलों से सम्बन्धित विषयों तथा जनता के हित से प्रत्यक्ष रूप से सम्बन्धित विषयों पर भी कार्यवाही करते हैं। जिन अनुभागों अधिकारियों/सहायकों ने अनुभाग विशेष में पांच वर्ष या उससे अधिक काम किया है उनकी सूची अनुबन्ध 'क' और 'ख' में दी गयी है। [ग्रन्थालय में रखी गयी / देखिये नं० L.T-2884/78]।

(ख) किसी भी व्यक्ति को न्याय न मिलने का प्रश्न नहीं उठता है क्योंकि समग्र दृष्टिगत के आधार पर और प्रत्येक अपनी सेवा के सांविधिक नियमों के अनुसार प्रत्येक संवर्ग में पदोन्नति निर्धारित की गयी है। इस केन्द्रीकृत संगठन में जहाँ स्थापना से सम्बन्धित सभी मामले सचिव, रेलवे बोर्ड, बोर्ड के सदस्यों और

मंत्रियों के नियंत्रण में हैं, अधिकारी विशेष द्वारा मनमाने ढंग से कार्य करने का प्रश्न नहीं उठता है।

(ग) से (च) ऐसे कोई प्रशासनिक अनुदेश नहीं हैं कि किसी भी कर्मचारी को उसी अनुभाग में 5 वर्ष से अधिक कार्य नहीं करना चाहिए, लेकिन इस सम्बन्ध में कर्मचारियों की ओर से हाल ही की कार्यालय परिषद की बैठक में दिए गये मुद्दाव को देखते हुए यह विनिश्चय किया गया है कि प्रशासनिक हित पर प्रतिकूल प्रभाव पड़े बिना कर्मचारियों को दूसरी शाखाओं में हस्तांतरण के अनुरोध पर विचार किया जाए।

Implementation of Railway Projects in West Bengal

1243. SHRI RUDOLPH RODRIGUES: Will the Minister of RAILWAYS be pleased to state:

(a) whether the implementation or schedule of any Railway projects will be affected by the damage caused by the recent floods in West Bengal; and

(b) what remedial measures are contemplated or have been carried out to offset these adverse effects of floods in West Bengal?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The final completion dates of the projects are not likely to be affected by the recent floods in West Bengal.

(b) Does not arise.

Alleged misuse of Funds by Board of Directors of Bird and Company

1244. SHRI SYAM SUNDER GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government of India have received any complaints from the staff of Bird and Company Limited relating to misuse of power and company funds by the Board of Directors of this Company;

(b) whether it is also a fact that substantial amounts belonging to the

retired employees of this company are blocked in the shares of the company and if so, what action Government propose to take to provide relief to the retired employees by selling these shares in the market; and

(c) if not, the reasons thereof?

THE MINISTER OF EDUCATION, AND SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) An unsigned letter purported to be from the 'Employees' of Bird Group of Companies dated 28th December, 1977 has been received in the Department.

(b) and (c). The Savings Trust holds 49.8 per cent of the equity shares of Bird and Company Limited. The estimated liabilities of the Savings Trust as on 31st March, 1978 amounting to Rs. 58.08 lakhs include deposits by pensioners of the orders of Rs. 3 lakhs. The matter regarding the sale of the shares held by the Savings Trust is pending with the High Court of Calcutta.

पटना उच्च न्यायालय के न्यायाधीशों के रूप में हरिजनों और आदिवासियों को नियुक्ति

1245. श्री एच० एल० पी० सिंह/श्री विधि न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) स्वतन्त्रता प्राप्ति के बाद पटना उच्च न्यायालय के न्यायाधीशों के रूप में किनने हरिजनों, आदिवासियों तथा पिछड़ी जातियों के अन्य व्यक्तियों की नियुक्ति की गई है ; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

शिक्षा, समाज कल्याण तथा संस्कृति मंत्री (डा० प्रताप चन्द्र चन्द्र) : (क) और (ख). जातिवाद सूचियां नहीं रखी जा रही हैं अतः पटना उच्च न्यायालय में पिछड़ी जातियों के आसीन न्यायाधीशों के बारे में या अनुसूचित जातियों/अनुसूचित जनजातियों और

पिछड़ी जातियों के अनुसूचितों की संख्या के बारे में जो बिगत काल में पटना उच्च न्यायालय के न्यायाधीश नियुक्त किए गए थे, जानकारी देना संभव नहीं है । पटना उच्च न्यायालय द्वारा दी गई जानकारी के अनुसार उस उच्च न्यायालय में अनुसूचित जाति/अनुसूचित जनजाति का कोई आसीन न्यायाधीश नहीं है ।

Writ Petitions relating to Land ceiling pending in High Courts and Judicial Commissioners' Courts

1246. SHRI G. Y. KRISHNAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of writ petitions relating to land ceiling and other land reform laws, under articles 226 and 227 of the Constitution, pending in various High Courts and Judicial Commissioners' courts as at the end of September, 1978;

(b) since when these writ petitions have been pending; and

(c) what steps Government are taking for the speedy disposal of these cases?

THE MINISTER OF EDUCATION, AND SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). Information at the end of September, 1978 is not available. Information as on 30-6-1978 is given in the attached statement.

(b) The following steps have been taken to clear arrears:—

(i) The sanctioned strength has been increased in the High Courts in respect of which proposals were received. This increase has been made in the following High Courts from the

dates the posts are filled up.

Name of the High Court	Number of posts increased	
	Pmt.	Addl.
Allahabad	..	9
Madhya Pradesh	..	6
Karnataka	1	5
Himachal Pradesh	..	2
Patna	..	3
Rajasthan	..	1
Delhi		4
TOTAL	1	30

(ii) A substantial number of vacancies in the High Courts have been

filled up. Initiative has been taken by the Central Government to call for proposals from the State Authorities/Chief Justices and wherever necessary reminders have been issued to the concerned State Authorities/Chief Justices. During the period 1st April, 1977 to 25th November, 1978 as many as 90 fresh appointments have been made. Three *ad hoc* Judges have also been appointed under article 244A of the Constitution.

(iii) The Law Commission have also been requested to suggest suitable measures to tackle the general problem of arrears. They are seized of the matter.

(iv) Letters have been addressed to the Bar Councils and Bar Associations of various States requesting them for cooperation and also for suggestions for speedy disposal of cases.

Statement

Writ petitions relating to Land Ceiling and Land Reform Laws under Articles 226 and 227 of the Constitution, pending in various High Courts and Judicial Commissioner's Court as on 30-6-1978.

Name of the High Court	Number of writ petitions pending for					over 5 years	Total No of Writ Petitions pending
	Less than 1 year	1-2 years	2-3 years	3-4 years	4-5 years		
1	2	3	4	5	6	7	8
Allahabad	790	2580	737	619	25	17	4768
Andhra Pradesh	70	4	..				74
Bombay	661	1170	701	901	924	1049	5406
Calcutta	—	..					
Delhi	21	1	5	3	1	10	41
Gauhati	16	53	25	21	6	4	125
Gujarat	376	250	184	9	4	4	827
Himachal Pradesh	23	3	21	12	13	11	83
Jammu and Kashmir	16	12	8	5	—	—	41

1	2	3	4	5	6	7	8
Karnataka	4190	4131	2064	1005	..	..	11390
Kerala	173	118	101	38	4		434
Madhya Pradesh . . . . .	..	4	..	..	..	..	4
Madras	80	24	23	115	17	12	271
Orissa	29	180	54	19	49	..	331
Panna	712	167	67	63	35	62	1106
Punjab and Haryana	421	73	64	138	113	290	1099
Rajasthan	126	174	414	178	155	208	1255
Sikkim . . . . .	..	..	..	..	..	..	..
Total	7704	8944	4468	3026	1346	1667	27155

Judicial Commissioner's Court,
Goa, Daman and Diu

Progress of Railway Electrification Works

1247. SHRI O. V. ALAGESAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Controlling Committee of the Railway Board which met in 1972 to review the progress of railway electrification works on various Zonal Railways and to fix up priorities for new electrification schemes approved *inter alia* (1) Arakkonam-Jolarpettai-Bangalore and Jolarpettai-Erode (487 route kms.) and (2) Madras-Arakkonam-Guatakal-Hospet (564 route kms.) sections in the South;

(b) whether it is a fact that the Raj Committee appointed by the Railway Board in 1978 to study the question of diesel and electric traction on Indian Railways has recommended for electrification of all the sections approved by the Railway Board except the above two sections; and

(c) whether Government will include the above two sections also for electrification as the Southern region is farthest from the coal fields etc.?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) The Controlling Committee has recommended electrification of Madras-Arkonam-Jolarpettai section, a part of Arkonam-Lolarpettai-Bangalore and Jolarpettai-Erode sections, along with other sections of the Indian Railways.

(b) No.

(c) No. The density of traffic of these sections is not sufficiently high at present to make electrification financially viable and qualify for electrification at current costs.

Proposal to introduce a New Train between Delhi and Bombay

1248. SHRI RAGHAVJI: Will the Minister of RAILWAYS be pleased to state:

(a) whether a proposal is under consideration to introduce another direct train between Delhi and Bombay on Central Railway;

(b) if so, by what time this train would be introduced keeping in view the forceful demand and need of the public; and

(c) the number of direct train presently running on this route and since how long their number has not been increased?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Two direct trains have been running between Bombay V. T./Dadar and Delhi via Bhopal for more than 30 years. For the through traffic between these two points, additional services have been provided via Vadodara. In addition, Railways have also introduced 115/116 Bombay-Lucknow Express, 137/138 Chhatisgarh Express, 201/202 Bombay-Manmad Panchwati Express and 149/150 Nizamuddin-Jabalpur Qutab Express on this route. By segregating the different types of traffic and clearing them by indepen-

dent fast services and also by withdrawing sectional through coaches on 5/6 Punjab Mail and 57/58 Dadar-Amritsar Express, it has been possible to cater to the growth of traffic on this route over a period of years. For the convenience of passengers on this route, it is now proposed to extend shortly 59/60 New Delhi-Jammu Tawi Express to and from Pune.

Laying of Rail Lines in Adivasi Backward Areas

1249. DR. LAXMINARAYAN PANDEYA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any scheme for laying new rail lines in Adivasi Backward Areas during the current year; and

(b) if so, where these lines are proposed to be laid?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). It is proposed to seek the Parliament's approval to take up the construction of the following six new railway lines in North Eastern Region through supplementary grants—1978-79.

S. No.	Name of the line	State to be served	Length in Kms.	Cost Rs. in Crores.
1.	Gauhati-Burnihat (BG)	Assam/Meghalaya	28.21	8.20
2.	Dharmanagar-Kumarghat (MG)	Tripura	33.50	9.67
3.	Silchar-Jiribam (MG)	Assam/Manipur	50.36	12.13
4.	Balipara-Shalokpong (MG)	Assam/Arunachal	33.45	4.70
5.	Anguri-Tuli (MG)	Assam/Nagaland	17.07	4.83
6.	Lalaghat-Bhairabi (MG)	Assam/Mizoram	48.77	10.76
		Total		50.29

Construction of the following railway lines in backward and tribal areas is in hand;

1. Nadiad-Kapadvanj-Modasa in Gujarat.

2. Jakhapura-Banspani in Orissa.

3. Wani-Chenaka in Maharashtra.

4. Nadikude-Bibinagar in Andhra Pradesh.

5. Karaila Road-Jayant in Uttar Pradesh and Madhya Pradesh.

6. Bhadrachalam-Manuguru in Andhra Pradesh

Memorandum from Indian Institute of Petroleum Workers Association, Dehradun

1250. SHRI R. P. DAS: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state;

(a) whether he has received memorandum from the Indian Institute of Petroleum Workers Association, Dehradun on 21st September, 1978 on the 14 point Charter of Demands; and

(b) if so, what steps have been taken for amicable settlement?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Yes, Sir. A copy of the Memorandum dated 14-8-1978 containing 14 demands by the Indian Institute of Petroleum Workers' Association was received in the Ministry on 26-8-78.

(b) Discussions were held by Indian Institute of Petroleum with the representatives of Indian Institute of Petroleum Workers' Association in September, 1978 on these fourteen points and amicable solutions arrived at.

Konkan West Coast Railway

1251. SHRI EDUARDO FALEIRO: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1257, on the

25th July, 1978 regarding progress of Konkan West Coast Railway and state:

(a) whether construction work of Konkan West Coast Railway has since started;

(b) whether the concerned State Governments have been approached to donate land or otherwise contribute to this project and if so, with what result;

(c) what is the direction followed and which are the areas covered by this Railway Project;

(d) what are the targeted dates for completion of the different stages of this project; and

(e) on what basis have these dates been fixed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (e).

A preliminary engineering-cum-traffic survey for the construction of West Coast Konkan railway line between Apta and Mangalore has been completed. The line will be 890 Kms. long and is estimated to cost approximately Rs. 239 crores. Construction of the first phase of the project from Apta to Roha over a length of 62 Kms. was approved and included in the budget for 1978-79. The first phase has been taken up for construction at an estimated cost of Rs. 9 crores with an outlay of Rs. 1 crore during 1978-79. The Government of Maharashtra has agreed to give the land for this project free of cost. The first phase is expected to be completed within three years if adequate funds are allotted. No target date has been fixed so far for the remaining length of the project.

Salary Payable to Managers of Companies

1252. SHRI SURYA NARAIN SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government have asked Companies, governed under the Companies Act, to

pay a maximum salary to their Managers in a year;

(b) if so, the amount fixed therein; and

(c) names of the companies which have been brought under this ceiling?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) to (c): The Central Government have since issued revised administrative guidelines lowering the ceilings of remuneration payable to Managing/whole-time Directors/Managers of public limited companies and private companies which are subsidiaries of public limited companies. Under these guidelines, the maximum salary payable to the Managerial Personnel indicated above from one or more companies put together, subject to the statutory limits laid down in the Companies Act, 1956, has been fixed at Rs. 72,000/- per annum inclusive of Commission and Bonus and Dearness allowance and all other fixed allowances.

रेलवे विभाग में हिन्दी में किया जा रहा काम

1253. श्री नवाब सिंह चौहान : क्या रेल मंत्री यह बनाने की कृपा करेंगे कि :

(क) रेलवे विभाग में कितने प्रशिक्षण कार्य हिन्दी में किया जा रहा है ;

(ख) रेलवे बोर्ड में हिन्दी का ज्ञान रखने वाले व्यक्तियों का अनुपात क्या है और उसमें वृद्धि करने के लिये क्या कार्यवाही की जा रही है ;

(ग) पत्र-व्यवहार किस भाषा में किया जा रहा है ; और

(घ) हिन्दी में पत्र व्यवहार न करने के क्या कारण हैं और कितने उच्च अधिकारी हिन्दी में काम कर सकते हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) बड़े रेलवे विभागों अर्थात् क्षेत्रीय रेलों तथा

उत्पादन कारखानों में हिन्दी में किये जा रहे काम की प्रतिशत नीचे दिया गया है :—

रेलवे/उत्पादन कारखाना	प्रतिशत
मध्य	72.0
पूर्व	41.4
उत्तर	60.0
पूर्वोत्तर	92.7
पूर्वोत्तर सीमा	54.1
दक्षिण	कुछ नहीं
दक्षिण मध्य	46.0
दक्षिण पूर्व	55.5
पश्चिम	65.5
चिलखन रेल इंजन कारखाना	38.4
डीजल रेल इंजन कारखाना	50.0
मवारी डिब्बा कारखाना	कुछ नहीं

(ख) रेलवे बोर्ड में हिन्दी जानने वाले व्यक्तियों का प्रतिशत 87.0 है। इस प्रकार यह अनुपात 8.7:10 बनता है। राजभाषा विभाग (गृह मंत्रालय) द्वारा हिन्दी शिक्षण योजना को अंतर्गत जब कभी कक्षाएं चलाई जाती हैं तो उन्हें हिन्दी प्रशिक्षण के लिए काफी संख्या में कर्मचारियों को नामित किया जाता है।

(ग) हिन्दी में प्राप्त पत्रों का उत्तर अधिकतर हिन्दी में दिया जाता है। इस समय 30 प्रतिशत तक पत्राचार हिन्दी में किया जा रहा है।

(घ) 231 उच्च अधिकारियों में से केवल 43 अधिकारी ऐसे हैं जो अपना काम हिन्दी में कर सकते हैं। लेकिन उनका काम तकनीकी होने के कारण इस समय अधिक पत्राचार हिन्दी में नहीं किया जा रहा है।

Ceiling on Emoluments of Company Executive

1254. SHRI D. D. DESAI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state;

(a) whether Government has decided to reduce the ceiling on emoluments and perquisites of company executives;

(b) whether Government is aware of the possibility of a flight of talent in case managerial talent finds the remuneration not attractive enough; and

(c) whether this will not affect Government policy of professionalising management of companies?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) The revised administrative guidelines lowering the ceilings of remuneration of Managing/whole-time Directors/Managers of the public limited companies and private limited companies which are subsidiaries of public limited companies, have since been issued by the Central Government:

(b) and (c). These guidelines have issued after taking into consideration the recommendations of the Bhoothalingam Study Group on Wages, Incomes and Prices and the Sachar Committee, which had the benefit of the views of various interests and bodies representing the employers, employees, Trade Unions, etc.

The ceilings under the revised guidelines are much higher than the ceilings obtaining in the Public and Government Sectors. Therefore, there need be no apprehension that there will be either flight of managerial talent or any set-back in the professionalising of management of Companies.

171 अप यात्री गाड़ी में डकैती

1255. श्री रामलाल राही : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि 21 अक्टूबर, 1978 को 171 अप यात्री गाड़ी में कुछ डाकुओं ने नेपाली मजदूरों की लूट कर चलती गाड़ी से बाहर फेंक दिया था ; यदि हाँ, तो उसके कारण कितने मजदूरों की मृत्यु हुई व कितने घायल हुए और क्या मृतकों के परिवारों को कोई सहायता दी गई है ; और

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(ख) क्या अपराधियों और रेलवे पुलिस कम-चारियों की साठगांठ के कारण अपराधियों को अभी तक पकड़ा नहीं गया है ; और यदि नहीं, तो अपराधियों को पकड़ने में पुलिस की उदासीनता के क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) 31-10-78 को (21-10-78 को नहीं) पूर्वोत्तर रेलवे के लखनऊ मंडल के गोंडा और नेपालगंज रोड स्टेशनों के बीच 177 अप सवारी गाड़ी के दूसरे दर्जे में यात्रा करने वाले 23 नेपाली नागरिकों के एक दल से 10/11 अज्ञात अपराधियों ने छुरे की नोक पर 12,000 रु० नकद और अन्य सम्पत्ति लूटी। 6 नेपाली नागरिकों और 2 अन्य यात्रियों को चलती गाड़ी से नीचे धकेल दिया जिससे उन्हें चोटें आयीं। सूचना मिलने पर सिविल पुलिस, नानपारा (उ०प्र०) ने गाड़ी और घटना स्थल की तलाशी ली और एक शव का पता लगाया, जो 23 नेपाली नागरिकों में से एक का था। वर्तमान नियमों के अनुसार, ऐसे अपराधों का शिकार हुए व्यक्तियों को किसी प्रकार की क्षतिपूर्ति अनुमेय नहीं है।

(ख) सरकारी रेलवे पुलिस, गोंडा (उ०प्र०) ने भारतीय दंड संहिता की धाराओं के अन्तर्गत 1-11-1978 को अपराध संख्या 248 के अन्तर्गत एक मामला दर्ज किया था। मामले की छान-बीन की जा रही है। पुलिस ने इस गैंग के दो अभियुक्तों को अब तक गिरफ्तार किया है और उनसे 700 रु० मूल्य की चुरायी गयी सम्पत्ति बरामद की है। अन्य अपराधियों को गिरफ्तार करने के लिए सरकारी रेलवे पुलिस द्वारा संगठित प्रयास किये जा रहे हैं।

Implementation of Hathi Committee Report

1256. SHRI BIRENDRA PRASAD: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state whether in order to control the multinational working in India in different fields Government propose to implement the main recommendations of the Hathi Committee?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): A Statement indicating the decisions of Government on the recommendations of the Hathi Committee was laid on the Table of the Sabha on 29th March, 1978. The said statement con-

tains, *inter alia*, Government's decisions on the regulation of activities of multinational drug companies.

Cancellation of Trains due to shortage of Coal

1257. SHRI GYANESHWAR PRASAD YADAV: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that in September and October, 1978 many trains had to be cancelled due to the shortage of coal only;

(b) if so, whether it is also a fact that railways suffered loss of crores of rupees thereby; and

(c) if so, the value of the loss suffered as a result of cancellation of the trains and the action being taken by Government to avoid recurrence thereof in future?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Yes.

(c) The loss in earnings due to cancellation of trains during September and October, 1978 on account of shortage of coal is of the order of Rs. 4.6 crores. Close liaison is being maintained with the Ministry of Energy and the coal-producing authorities so as to increase the availability of steam coal for the Railways.

Introduction of Double-Decker Coaches in certain Sections

1258. SHRI F. P. GAEKWAD: Will the Minister of RAILWAYS be pleased to state:

(a) how far the proposals for introduction of double-decker coaches on the Bombay-Surat, New Delhi-Meerut and Howrah-Asansol sections were proceeded with;

(b) is the question still under consideration; and

(c) if so, how long will it take to finalise the same; as the initial reactions of passengers and revenue yield are favourable?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Provision of 24 more Double-decker coaches has been made in 1978-79 Rolling Stock Programme and these will be introduced on New Delhi-Meerut, Howrah-Asansol and Bombay-Surat sections in a phased manner.

Irregularities by certain Drug Firms

1259. DR. BAPU KALDATE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No. 1237 on 25th July, 1978 regarding Inspection of Records in respect of Drug Firms and state:

(a) whether after examination of the explanation received from (a) Synobiotics Ltd., (b) Roche Products Ltd., and (c) Hoechst Pharmaceuticals Ltd. any action has been taken; and

(b) if so, the details thereof?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). A statement indicating the irregularities and action taken thereon is laid on the Table of the House. (Placed in Library. See No. LT-2885/78).

Passenger amenities in Trains

1260. DR. BIJOY MONDAL: Will the Minister of RAILWAYS be pleased to state:

(a) whether the late running of trains and lack of attention towards passenger amenities at various Railway Stations including Durgapur Railway Station (Eastern Railway) are due to inadequate staff; and

(b) if so, what steps are going to be taken by the Railway Administration to eliminate this?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Information is being collected and will be laid the Table of the Sabha.

Provision of Legal Aid to Poor

1261. SHRI GIRIDHAR GOMANGO: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether his Ministry have asked the States to provide legal aid to the poor;

(b) if so, the States that have provided the legal aid so far and money spent for the same in the year 1978-79; and

(c) whether his Ministry has earmarked money for Anibal Sub-plan area to provide legal aid to the tribals through State Governments?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) No, Sir.

(b) Does not arise.

(c) No, Sir.

सीकर में टिकटों की विका

1262. श्री जगदीश प्रसाद माधुर : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सीकर में बम्बई के लिये प्रोसतन कितनी टिकटें प्रतिदिन खरीदी जाती हैं;

(ख) क्या सीकर निवासियों ने शयनयान तथा सीटों का कोटा बरास्ता सवाई माधोपुर-बम्बई तक प्रारक्षित करने की मांग की है; और

(ग) सरकार ने इस मांग के सम्बन्ध में क्या कार्यवाही की है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) 38

(ख) जी, हां।

(ग) सवाई माधोपुर से चढ़ने वाले बम्बई जाने वाले यात्रियों के लिए 24 अप जनता एक्सप्रेस में सवाई माधोपुर रेलवे स्टेशन को द्वितीय श्रेणी की 12 शायिकाओं का कोटा प्रारक्षित किया गया है। अन्य स्टेशनों को प्रारक्षित कोटे की पुनर्व्यवस्था के द्वारा सवाई माधोपुर को प्रारक्षित कोटे में उपयुक्त सीमा तक वृद्धि करने का प्रस्ताव है। सीकर से बम्बई तक यात्रा करने वाले यात्री सवाई माधोपुर के इस कोटे का उपयोग कर सकते हैं।

Shortage of Soda Ash

1263. SHRIMATI PARVATHI KRISHNAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that there is an artificial shortage of soda ash in the country and the soda ash industry has been making huge profit by raising the prices abnormally;

(b) if so, what are the details of the overall production and requirements of soda ash in the country and its prices in the market at present and during the same period of last three years; and

(c) what action is being taken by Government against the industrialists who are responsible for its artificial shortage?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) Reports of shortage of soda ash and of high prices in the market, taking advantage of the scarcity conditions, have come to the notice of the Government.

(b) The production of soda ash in the country during the last three

years has been as under:—

Year	Production (tonnes)
1975	5,41,400
1976	5,65,000
1977	5,68,000
1978 (Jan. to Oct.)	4,78,544

The Working Group on Inorganic Chemicals has recently estimated the requirements of Soda Ash at 6,00,000 tonnes by 1978-79.

The ex-works prices (inclusive of cost of packing but excluding excise duty and other taxes) of the 4 manufacturers were as under:—

Manufacturer	Variety of Soda Ash	Prices as on 1st January (Rs./per tonne)			
		1975	1976	1977	1978
					(1-11-78)
1. Tata Chemicals	Light	894	925	925	975
	Dense	984	979	979	1046
2. Saurashtra Chemicals	Light	900	950	950	1000
	Dense	1000	1050	1040	1075
3. Dhrangadhra Chemicals	Light	N.A.	950	890	1000
	Dense	Not in the line of manufacture.			
4. New Central Jute Mills	Light	1150	1100	935	1400
	Dense	Not in the line of manufacture.			

NOTE: The current rate of excise duty including additional excise duty is 10.5% of the cost price.

(c) A High-powered Committee on Soda Ash has been appointed to go into all aspects of the production, movement and marketing of soda ash with special reference to the causes of the current shortage and the reasons for the cyclical pattern of such shortage over the years and to suggest ways and means of tackling the situation. Further action in this regard will be taken on receipt of the report of the Committee which is expected by the end of January, 1978.

The Bureau of Industrial Costs and Prices have also been asked to make a quick cost study in respect of all the manufacturers.

लखनऊ स्टेशन पर हिंसक घटना के कारण रेल सेवाओं में बाधा

1264. श्री युवराज : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि लखनऊ के चारबाग रेलवे जंक्शन के पश्चिम केबिन पर हुई हिंसक घटना के बाद रेलवे कर्मचारी हड़ताल पर चले गये जिसके परिणामस्वरूप पूर्वोत्तर रेलवे के लखनऊ, कानपुर और गोरखपुर डिवीजनों पर रेल सेवाएं प्रभावित हो गई थीं ;

(ख) क्या यह भी सच है कि डिवीजनल सुपरि-टेंडेंट घटना के आठ घंटे बाद भी घटना स्थल पर नहीं पहुंचे थे ;

(ग) क्या यह सच है कि कानपुर से लखनऊ आने वाली लगभग 50 दैनिक गाड़ियां भी टेलीफोन

लाइनों और बिड़कियों के शीशों को जबरदस्ती तोड़ दिया था और ब्यूटी पर तैनात कर्मचारियों को मारा था ; और

(घ) यदि हाँ, तो इसके लिये जिम्मेदार अधिकारियों के विरुद्ध क्या कार्यवाही की गई है और यदि नहीं तो इसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हाँ ।

(ख) जी हाँ, किन्तु मंडल अधीक्षक ने अन्य बरिष्ठ अधिकारियों को घटना-स्थल पर पहुँचने का निर्देश दिया था । मंडल अधीक्षक ने घटना-स्थल पर मौजूद अधिकारियों से निरन्तर संपर्क बनाये रखा और स्थिति पर नियंत्रण रखने के लिए सिविल प्राधिकारियों तथा मुख्यालय से संबंध बनाये रखा ।

(ग) जी हाँ ।

(घ) इस घटना के लिए कोई रेलवे अधिकारी उत्तरदायी नहीं था ।

Production of Liquefied Petroleum Gas under Joint Ownership of Hindustan Petroleum Corporation and Bharat Refineries Limited

1265. SHRI S. R. REDDY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have recently approved any project for producing liquefied Petroleum Gas (LPG) under the joint ownership of Hindustan Petroleum Corporation (HPC) and Bharat Refineries Limited (BRL); and

(b) if so, the details regarding their functioning and performance in this regard and the programme of Government in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). In October, 1978 Government have approved the joint proposal of Hindustan Petroleum Corporation Ltd. and Bharat Petroleum

Corporation Ltd. for setting up facilities for marketing of 1,68,000 tonnes per annum of liquefied petroleum gas that will be available from Bombay High Associated Gas. These facilities will include the establishment of major bottling plants and storage capacity at Bombay and other up-country locations at Hyderabad and Bangalore. The project is estimated to cost Rs. 58.15 crores and is expected to be completed by 1980-81. The project will result in a substantial addition to the availability of LPG in the country. On completion of the Project 1.14 million customers will be enrolled for supply of LPG.

Railway Employees Demonstration at the Time of Launching of Himgiri Express

1266. PROF. SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state.

(a) whether it is a fact that while the Railway Minister was launching Himgiri Express from Howrah to Jammu Tawai in the last week of October, 1978 some Railway employees staged a hostile demonstration;

(b) if so, facts there about and the Union to which these employees belong to; and

(c) reasons for such a hostile demonstration against the Railway Minister?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). On 25th October, 1978, while the Minister for Railways was inaugurating the Himgiri Express at Howrah station, about 45 to 50 Commercial Vendors, under the banner of the Eastern Railway Catering and Vendors' Union (affiliated to Centre of Indian Trade Unions), staged a demonstration over their demand for permanent absorption in railway service. It was not a hostile demons-

tration, against the Railway Minister. The demonstrators themselves made it clear at the station and they later on met the Minister for Railways to represent their demands.

रेलवे कंटीनों की अधिक बरें

1267. श्री हरमोहिन्द वर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का ध्यान इस तथ्य की ओर दिलाया गया है कि यात्रियों से रेलवे कंटीनों द्वारा खाद्य पदार्थों के अधिक मूल्य लिये जा रहे हैं; और

(ख) यदि हां, तो बरेली स्टेशन पर चाय विक्रेताओं द्वारा अधिक मूल्य लेने की ओर सरकार क्यों ध्यान नहीं दे रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) और (ख). 1-4-1977 से आज तक की अवधि के दौरान उत्तर रेलवे के बरेली स्टेशन पर खान-पान ठेकेदारों द्वारा अधिक दाम लेने के 5 मामलों के प्रतिरुद्ध रेलवे स्टेशनों पर भोज्य पदार्थों के अधिक दाम लेने की कोई शिकायत नहीं मिली है। इन पांचों मामलों की जांच की गयी थी और रेल प्रशासन द्वारा चेतावनी देने, जमाना करने जैसी उपयुक्त कार्रवाई की गयी है। यह सुनिश्चित करने के लिये कि अधिक दाम लेने की घटनाएँ न हों अधिकारी और निरीक्षक निरंतर जांच और प्रचारक निरीक्षण करते रहते हैं। दोषी पाये गये व्यक्तियों के खिलाफ कड़ी कार्रवाई की जाती है। अधिक दाम लेने की सम्भावना न रहे, इसके लिए यात्रियों की जानकारी हेतु सभी स्टालों, टालियों, खोमचों आदि पर रेलवे द्वारा अनुमोदित दर-सूचियाँ लगायी जाती हैं।

Implementation of Pharmafin Technology

1268. SHRI GOVINDA MUNDA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the progress made in the implementation of Pharmafin technology;

(b) whether with the introduction of this technology, production in I.D.P.L. has fallen; and

(c) if so, details of the same?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (c). IDPL has received from pharmafin of Italy strains and technical know-how for the production of Penicillin-G-K salt, Tetracycline, Erythromycin and technical know-how for Doxycycline hyclate and semi-synthetic penicillins along with basic engineering. IDPL had also placed orders on various firms for procurement of imported/indigenous equipment and instruments required for its implementation. Most of the equipment and instruments have been received, installed and commissioned. Required number of fermentors in different products have been modified or are being modified, so as to carry out trial runs. The trial runs in case of Tetracycline have been started and are in progress. The scheme will be completed by September, 1979. Since the total package is still under implementation, it cannot be said that production in IDPL has fallen, with its introduction.

Issue of Loan Licences to drug Companies

1269. DR. P. V. PERIASAMY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the number of drug companies with manufacturing facilities who have obtained loan licences; and

(b) the reasons for giving loan licences to such companies in violation of Drugs and Cosmetics Act?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). Loan licences are granted by the State Drug Controllers under the Drugs and Cosmetics Act (and rules framed thereunder) which is administered by the Ministry of Health and Family Welfare. The in-

formation asked for is being obtained and will be laid on the Table of the House.

तेल तथा प्राकृतिक गैस प्रायोग द्वारा पूर्वोत्तर क्षेत्र तथा पूर्व क्षेत्र में भूगर्भीय और भू-भौतिकीय सर्वेक्षण

1270. श्री महीशाल : क्या वैद्योलियम, रसायन और उर्वरक मंत्री तेल तथा प्राकृतिक गैस प्रायोग द्वारा पूर्वोत्तर क्षेत्र तथा पूर्व क्षेत्र में भूगर्भीय और भू-भौतिकीय सर्वेक्षण के बारे में 29 अगस्त, 1978 के प्रतारंकित प्रश्न सं० 4769 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या प्रपेक्षित जानकारी इस बीच एकत्र कर ली गई है ;

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है ; और

(ग) यदि नहीं, तो विलम्ब के क्या कारण हैं ?

वैद्योलियम तथा रसायन और उर्वरक मंत्री (श्री हेमचन्द्र नन्धन बहुगुणा) : (क) जी, हां।

(ख) क्योंकि सूचना विस्तृत है, प्रतः सभा पटल पर रख दी जायेगी।

(ग) प्रश्न नहीं उठता।

Nagpur-Kolhapur Line

1271. SHRI SANTOSHRAO GODE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government of Maharashtra have requested the Union Government to construct Nagpur-Kolhapur Railway line;

(b) if so, what is Government's response thereto; and

(c) whether the survey of this Railway line has been ordered?

THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Nagpur is already connected with Kolhapur by a broad gauge line via Bhusawal, Dhond, Manmad and Pune. There has been request from the Maharashtra State Government for conversion of Miraj-Latur and Purli Vajjnath-

Parbhani-Adilabad lines to broad gauge, and construction of new lines from Adilabad to Ghugus, and from Latur to Latur Road thus providing a shorter B. G. link between Nagpur and Kolhapur.

(b) and (c). (i) Survey carried out for the conversion of Miraj-Latur and Latur-Latur Road new line has revealed that the project is not a viable one. In view of the constraint on the resources position, it is proposed not to take up the project.

(ii) Purli-Parbhani forms part of the approved Manmad-Parbhani-Purli Vajjnath conversion project, on which work has been started in the first phase, from Manmad to Aurangabad.

(iii) Survey for the Parbhani-Adilabad conversion, and Adilabad-Ghugus new line project has been completed and the survey report is under examination.

Railway Lines in Backward and Tribal Areas

1272. CHAUDHARY BALBIR SINGH:

SHRI AMAR SINGH V. RATHAWA:

SHRI KIRIT BIKRAM DEB BURMAN:

SHRI CHHITUBHAI GAMIT:

Will the Minister of RAILWAYS be pleased to state:

(a) whether there are a number of proposals under Government consideration for laying new Railway lines in the Backward and tribal areas during the years 1978, 1979 and 1980;

(b) if so, the details thereof;

(c) how many such proposals also have come from State Governments and other organisations, institutions and Chamber of Commerce from the country; and

(d) what steps Government have taken on each?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). Proposals for construction of new railway lines in backward Adivasi areas have been received from various State Governments, Members of Par-

liament and other public bodies from time to time which have been considered on merits depending on the availability of funds.

It is proposed to seek the Parliament's approval to take up the construction of the following six new railway lines in North-Eastern Region through Supplementary grants 1978-

S. No.	Name of the line	State to be served	Length in Kms.	Cost (Rs. in Crores)
1.	Gauhati-Burnihat (BG)	Assam/Meghalaya	28.21	12.0
2.	Dharmanagar-Umarghat (MG)	Tripura	33.50	9.67
3.	Silchar-Jiribam (MG)	Assam/Manipur	50.36	12.13
4.	Balipara-Bhalukpong (MG)	Assam/Arunachal	33.45	4.70
5.	Amguri-Tuli (MG)	Assam/Nagaland	17.67	6.0
6.	Lalaghat-Bairabi (MG)	Assam/Mizoram	48.77	10.76
TOTAL				50.29

Construction of the following railway lines in backward and tribal areas is in hand:

1. Nadiad-Kapadvanj-Modasa in Gujarat.
2. Jakhapana-Banaspani in Orissa.
3. Wani-Chanaka in Maharashtra.
4. Nadikude-Bibinagar in Andhra Pradesh.
5. Karaila Road-Jayant in Uttar Pradesh and Madhya Pradesh.
6. Bhadrachalam-Manuguru in Andhra Pradesh.

Surveys for the following new railway lines in backward and tribal areas are in hand:

1. Koraput-Parvathipuram in Orissa.
2. Ranchi Road to Giridi via Kodarma in Bihar.
3. Mandarhil to Baidyanath Dam in Bihar.

4. Lalitpur-Shingrauli via Khajuraho Satna and Rewa in Uttar Pradesh and Madhya Pradesh.

5. Barwadi-Karanji in Bihar and Madhya Pradesh.

कम्पनियों का पंजीकरण

1273. श्री हुसम देव नारायण यादव : क्या बिधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जनता सरकार के गठन के बाद अब तक कितनी नई कम्पनियों का पंजीकरण किया गया है और उनमें एकाधिकार गृहों की कम्पनियों की संख्या कितनी है; और

(ख) कम्पनी अधिनियम के अन्तर्गत कितनी कम्पनियों को दोषी पाया गया और उनके विरुद्ध क्या कार्यवाही की गई ?

शिक्षा, समाज कल्याण तथा संस्कृति मंत्री (श्री प्रताप चन्द्र चन्द्र): (क) 1-4-1977 से 30-9-1978 तक की अवधि के मध्य कम्पनी अधिनियम 1956 के अन्तर्गत 4373 नवीन कम्पनियों का पंजीकरण हुआ था। इन नवीन रूप से पंजीकृत 4373 कम्पनियों में से कोई भी एकाधिकारी घरानों से सम्बन्धित नहीं है।

(ख) देश में 31-3-1978 तक, कम्पनी अधिनियम की अन्तर्गत पंजीकृत 50807 कम्पनियों कार्यरत थीं। 1-4-1977 से 31-3-1978 की अवधि के मध्य कम्पनी अधिनियम के अनेक उपबन्धों के उल्लंघन के लिये, इनमें से 3874 कम्पनियों पर मुकद्दमे चलाये गये थे।

पूर्व रेलवे द्वारा दिये गये खान-पान के ठेके

1274. श्री हुकम चन्द कच्छवाल: क्या रेल मंत्री 'लोडर प्राइवेट' के धर्म के बारे में 18 जुलाई, 1978 के प्रसारित प्रश्न सं० 332 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या पूर्व रेलवे द्वारा दिये गये खान-पान के ठेके के बारे में अपेक्षित जानकारी इस बीच एकत्रित कर ली गई है; और

(ख) यदि हाँ, तो तत्सम्बन्धी पूरा ब्योरा क्या है ?

रेल बंगाल में राज्य मंत्री (श्री शिव नारायण) : (क) से (ख)। अपेक्षित सूचना पहले ही एकत्रित कर ली गयी है और कार्यान्वयन रिपोर्ट की एक प्रति सभा पटल पर रख दी गई है जिसमें सम्बन्धित विवरण दिया गया है। [संघालय में रखी गयी। देखिये संख्या एल टी-2886/78]

Public Undertakings under the Ministry of Railways

1275. SHRI MRITYUNJAY PRASAD: Will the Minister of RAILWAYS be pleased to state:

(a) the names of the public undertakings under his Ministry indicating the locations of their head offices and the names of Chairmen/Presidents and Managing Directors thereof (full details in case these offices are held by two persons) and the locations of their headquarters and the names of the undertakings whose headquarters are located at a place other than the places at which their head offices are located and since when and the reasons therefor; and

(b) the work entrusted to these undertakings and the achievements thereof during the last three years?

THE MINISTER OF STATE IN
THE MINISTRY OF RAILWAYS

(SHRI SHEO NARAIN): (a) Rail India Technical & Economic Services Ltd. (RITES) and the Indian Railway Construction Company Ltd. (IRCON), both headquartered at New Delhi, are the two public sector undertakings set up under the aegis of the Ministry of Railways. Shri G. P. Warriar, former Chairman of the Railway Board has been appointed part-time Chairman of RITES and IRCON with effect from 5th August 1978, Shri A. B. Ribeiro is the Managing Director of RITES with effect from 22nd April 1977. Managing Director of IRCON has yet to be appointed.

(b) The names of the countries where assignments have either been completed already or are in progress by these Companies are Iran, Syria, Ghana, Malaysia, Bangladesh, Zaire, Philippines, and Nigeria. A few assignments have been secured in India also.

Public Undertakings under the Ministry of Law, Justice and Company Affairs

1276. SHRI MRITYUNJAY PRASAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of the public undertakings under his Ministry indicating their names, locations of their head offices and the names of Chairmen/Presidents and Managing Directors thereof (full details in case these offices are held by two persons) and the locations of their headquarters and the names of the undertakings whose headquarters are located at a place other than the places at which their head offices are located and since when and the reasons therefor; and

(b) the work entrusted to these undertakings and the achievements thereof during the last three years?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) There is no public undertaking under the control of the Ministry.

(b) Does not arise.

Public Undertakings under the Ministry Petroleum, Chemicals and Fertilizers

1277. **SHRI MRITYUNJAY PRASAD:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the public undertakings under his Ministry indicating their names, locations of their head offices and the names of Chairmen/Presidents and Managing Directors (full details in case these offices are held by two persons) and the locations of their headquarters and the names of the undertakings whose headquarters are located at a place other than the places at which their head offices are located and since when the reasons therefor; and

(b) the work entrusted to these undertakings and the achievements thereof during the last three years?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Information is given in the Statement laid on the table of the House. [Placed in Library. See No. LT-2887/78].

The Headquarters of the Chairmen/Managing Directors of most of the undertakings are situated at the same place as the Head offices (Registered offices) of their undertakings except in the case of the Pyrites Phosphates/Chemicals Limited, Indian Oil Corporation Limited, Indo-Burma Petroleum Co. Limited, Petrofils Cooperative Limited, Hydrocarbons India Limited, Balmer Lawrie & Co. Limited, Biecco Lawrie Limited and Bridge & Roof Co. (I) Limited. The offices of the Chairmen/Managing

Directors of these undertakings are located in Dehri-on-Sone/New Delhi/Dehradun/Baroda for better coordination of the work/units located in various States.

(b) The work entrusted to the various undertakings and the achievements of the undertakings are given in the Performance Budget and Annual Reports of the Ministry and the undertakings. The Performance Budget and Annual Reports of the Ministry are made available to the Members of Parliament and the Annual Reports of the undertakings are laid on the Table of both the Houses of Parliament.

Broad Gauge from Pathankot to Dunera

1278. **SHRI DURGA CHAND:** Will the Minister of RAILWAYS be pleased to state:

(a) whether he has received a representation dated 23rd October, 1978 from the Himachal Hitkarini Parishad, Kalka urging the Railway authorities to undertake a survey for a broad gauge line from Pathankot to Dunera in District Chamba and narrow gauge line from Dunera to Surangani where exists the biggest hydel project in Himachal Pradesh;

(b) if so, what are the details thereof; and

(c) what action is being taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) and (c). Due to severe constraint of financial resources and heavy commitments already made it is not possible to undertake either the construction of these rail links or to carry out surveys for them at present. The survey carried out now will become outdated by the time the construction of these rail links are considered in the distant future.

Nangal-Talwara line

1279. SHRI DURGA CHAND: Will the Minister of RAILWAYS be pleased to state:

(a) the year in which the survey of Nangal-Talwara Railway line was made;

(b) whether he has received a representation dated 23rd October, 1973 from the Himachal Hitkarini Parishad, Kalka for an early completion of Nangal-Talwara Railway line;

(c) if so, what action has been taken thereon; and

(d) by when the work on the said line will be taken in hand?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Traffic Survey was carried out during 1973 whereas the Final Location Survey was carried out during 1974-77.

(b) Yes.

(c) and (d). Due to severe constraint of financial resources and heavy commitments already made it has not been possible to undertake the construction of this line so far. It will, however, be possible to consider this project afresh for construction after the report of the National Transport Policy Committee, which has been appointed by the Government is received and a decision is taken by the Government about the policy to be followed regarding the construction of uneconomic railway lines in backward areas of the country.

Manufacture of Synthetic Rubber by M/s. Synthetics and Chemicals Limited, Bareilly

1280. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many grades of synthetic rubbers have been manufactured from time to time by Synthetics & Chemicals Limited, Bareilly, and what have been their cost and selling prices from time to time;

(b) why are Government allowing this Company to arbitrarily increase its synthetic rubber prices; and

(c) why Government do not immediately control the prices of synthetic rubbers manufactured by this Company and reduce them by at least fifty paise per Kilogram?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The required information is being collected and will be laid on the Table of the House, when received.

(b) and (c). At present, there is no price control on synthetic rubber.

Guest houses maintained by Synthetics and Chemicals Limited

1281. SHRI SURENDRA BIKRAM: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) how many guest houses Synthetics & Chemicals Limited maintained at different places in the country during the last ten years and what have been their expenses during all these years;

(b) what is the purpose of having these guest houses and whether company's employees are staying in these guest houses; and

(c) is it not a fact that company's Guest House at 63, Golf Links, New Delhi, is being utilised by Company Directors alone as well as to entertain dignitaries at heavy cost on the company, will the Government get these expenses re-audited?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). M/s. Synthetics and Chemicals Limited is maintaining one guest house at New Delhi and two guest houses at its plant at Bhitaura, Bareilly. The guest house at New Delhi has been maintained since 1971. The expenditure incurred at Delhi guest house for the years 1974 to 1977 as available and that incurred at Bareilly guest houses during the last ten years is given below:

Year	New Delhi Rs.	Bareilly Rs.
1969		60,955
1969		58,045
1970		47,181
1971		61,254
1972		83,803
1973		1,09,921
1974	49,560	1,06,654
1975	40,299	95,057
1976	36,506	1,31,166
1977	31,996	1,32,478

The guest house at Delhi is maintained for the use of directors of the company for business purposes or on their way to Bareilly/Lucknow and for discussions and meetings.

One of the guest houses at Bhitaura, Bareilly is located within the housing colony near the factory and is maintained for the use of the directors as there is no accommodation available nearby. The other guest house at Bhitaura is maintained within the housing colony for the staff of the company on official visits. This facility is also extended to the representatives of the suppliers, auditors who visit factory for the purpose of business of the company and to the Government officials on official visits.

(c). There is no provision under the Companies Act, 1956, for re-auditing of expenses incurred by a company. However, an investigation has been ordered into the affairs of the company.

Report of High Power Accident Enquiry Committee

1282. **SHRI MADHAVRAO SCINDIA:** Will the Minister of RAILWAYS be pleased to refer to U.S.Q. No. 386 dated 18th July, 1978 regarding report of High Power Accident Enquiry Committee and state:

(a) whether the Committee has since submitted its report;

(b) if so, details therein; and

(c) if not, expected time by which the Committee is to submit the report?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) Does not arise.

(c) The tenure of the Committee has been extended upto 30-9-1979 by which time the report is expected to be submitted.

Squad to check complaints regarding railway reservation

1288. **SHRI MADHAVRAO SCINDIA:** Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 276, on 18th July 1978 regarding squad to check complaints regarding railway reservation and state:

(a) the number of complaints received by railway administration till 30th October, 1978;

(b) checks and raids carried out by the squad; and

(c) action taken thereon?

(a) the number of complaints received by railway administration till 30th October, 1978;

(b) checks and raids carried out by the squad; and

(c) action taken thereon?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) After the formation of Special Squad on 31-5-1978, 355 complaints have been received since 1-6-1978.

(b) 99.

(c) (i) 82 railway employees are being/have been taken up for disciplinary action and 9 for departmental action.

(ii) The checks by the Special Squad are being continued.

(iii) Action has also been taken to streamline/improve the reservation procedures.

Issue of licences to Synthetics and Chemicals Limited

1284. SHRI SURENDRA BIKRAM: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Synthetics and Chemicals Limited, Bareilly (U.P.) has been given licence to manufacture Styrene for its synthetic rubber production or for open sale also;

(b) if not, why the company is allowed to sell Styrene in market; and

(c) what action Government has taken against this company for this offence?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). There is no prohibition, in the terms of the Industrial Licence issued to M/s. Synthetics and Chemi-

cals Limited on sale of styrene monomer by them in the market.

(c) Does not arise, in view of (a) and (b) above.

रेलवे फाटक संख्या 342

1285. श्री सुरेन्द्र बिक्रम : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ऐसे घनुदेश जारी किये गये हैं कि उत्तर रेलवे के मुरादाबाद मण्डल के वीलपुर और मीरानपुर कटरा स्टेशन के बीच फाटक संख्या 342, जहाँ जुलाई, 1978 में हुए एक दुर्घटना में 50 व्यक्ति मारे गये थे, आधा घंटा बन्द कर दिया जायेगा और यदि हाँ, तो उसके क्या कारण हैं; और

(ख) क्या इन स्टेशनों और राष्ट्रीय राजमार्ग बरेली-लखनऊ मार्ग के बीच रेलवे फाटक 343 है जो वीलपुर स्टेशन के पूर्वी केबिन से कंट्रोल होता है और इस केबिन पर कंट्रोल टेलीफोन न होने से कभी कभी आधे घंटे से अधिक समय तक फाटक बन्द रहता है जिसके परिणामस्वरूप मार्ग पर चलने वाले यात्रियों को भारी कठिनाइयाँ होती हैं और यदि हाँ, तो क्या सुरक्षा और जनहित में वीलपुर के पूर्वी केबिन पर एक कंट्रोल टेलीफोन स्थापित किया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) ऐसे कोई घनुदेश जारी नहीं किये गये हैं ।

(ख) मीरानपुर कटरा और विलपुर के बीच एक घनुर्पाणित समपार-फाटक, सं० 343 है । यह समपार फाटक पूर्वी केबिन विलपुर से टेलिफोन द्वारा संबद्ध है जो कि पुनः टेलीफोन द्वारा सहायक स्टेशन मास्टर, विलपुर से संबद्ध है । इस समपार पर सड़क यातयात की कोई अकारण रुकाई नहीं होती। पूर्व केबिन विलपुर में नियन्त्रण टेलीफोन उपलब्ध कराने का कोई प्रस्ताव नहीं है । सहायक स्टेशन मास्टर विलपुर के कार्यालय में पहिले से ही एक नियन्त्रण टेलीफोन उपलब्ध है ।

Promotion avenues of Gangmen

1286. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that 95 per cent or more of Gangmen retire as Gangmen as there is neither any avenue of promotion nor up-gradation like other categories of Railwaymen;

(b) if so, the reasons for not providing the semi-skilled and skilled posts in this category; and

(c) the action taken or proposed to be taken by Government to provide adequate avenues of promotion and up-gradation to this category of Railway workers?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) and (c). Gangmen are eligible for promotion as Keymen and Gangmates who, in turn, get promotion to the posts of Permanent Way Mistries. Further, Gangmen can also seek transfer against 10 per cent of vacancies in Works Branch of Engineering Department/Traffic and Commercial Department/Workshops of Mechanical Department where half the length of their continuous service counts for the purpose of seniority for promotion to higher grades.

Upgradation of Material Checkers

1287. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that 42 Material Checkers in the scale of Rs. 225—308 (Rev.) under Chief Engineer (Construction) E. Railway have not yet been given up-gradation as Material Clerks in the scale of Rs. 260—400 (Rev.) since 1962 although this up-gradation has already been implemented in open line long before, leaving no post of material checker in open line;

(b) if so, the reason for continuing such discrimination so long; and

(c) action taken or proposed to be taken by the administration to implement this up-gradation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes, the posts of

Material Checkers under Chief Engineer (Construction) Eastern Railway have not been up-graded to those of Material Clerks in the scale of Rs. 260—400 (RS).

(b) and (c). The position is being reviewed by the Railway Administration in order to see whether any posts of Material Checkers are required to be up-graded as Material Clerks in the scale of Rs. 260—400 (RS) on the basis of the duties performed by them in terms of the orders issued in September, 1963 and October, 1972.

Stations in N.E. Region

1288. SHRI AHMED HUSSAIN: Will the Minister of RAILWAYS be pleased to state:

(a) whether most of the Stations in Assam and other parts of N.E. Region have not been provided with the requisite/adequate passenger amenities like Benches, covers over platforms, water supply and sanitation, and

(b) by when they will be provided the requisite amenities and names of such stations along with the development programmes proposed and being implemented?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Basic amenities such as Benches, drinking water supply, provision of latrines/urinals etc. have been provided on all the regular stations of Indian Railways including station in Assam and N.E. Region.

Cover over platforms are provided depending upon the need of traffic, climatic conditions and importance of Railway station.

Inclusion of such works is considered zone-wise, consistent with the availability of funds. Region-wise details are not maintained.

Proposal to provide armed guards in super fast trains

1289. **SHRI AHMED HUSSAIN:** Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the Government are considering and/or propose to provide some security Guards with rifles etc. for each reserved compartments to start with in the super fast trains for passengers safety; and

(b) if so, the details, and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) The responsibility of ensuring the safety of passengers and the security of their belongings rests with the Government Railway Police which functions under the administrative and disciplinary control of the State Governments.

The Government Railway Police provide escorts in affected trains over vulnerable sections but not in every reserved compartments of the Super Fast trains, as this is neither feasible nor necessary

Dharmanagar-Kumarghat rail link

1290. **SHRI KIRIT BIKRAM DEB BURMAN:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the Planning Commission Committee on Railways has since examined the proposals for development of new rail link in the North-eastern region, including the Dharmanagar-Kumarghat MG. Rail Link in Tripura and cleared the same;

(b) if so, whether based on such clearance the Union Government have since decided to undertake and complete these rail links under the Sixth Plan; and

(c) the details of cost and the time, by which they are to be completed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) Yes, subject to approval by Parliament.

(c) The following lines are proposed to be taken up and completed during the 6th Plan period:—

	Estimate d Cost. (Rs. in crore)
1. Dharmanagar-Kumarghat	9.67
2. Gauhati-Burniha*	8.20
3. Silchar-Jiribam	12.13
4. Balipara-Bhalukpong.	4.70
5. Amguri-Tuli .	4.83
6. Lalaghat-Bhairabi . .	10.76

गोदाम का निर्माण

1291. श्री रीत लाल प्रसाद वर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गया जंक्शन के पूर्व की ओर ओर जतनाबाद स्टेशन से १०० मी. जो भू-खण्ड स्थित है और जिस पर गोदाम का निर्माण किया गया है, उसे रेल विभाग द्वारा पट्टे पर दे दिया गया है;

(ख) क्या गया जंक्शन की इस भूमि का उपयोग पेट्रोल पम्प और मिठाइयों की दुकान आदि का निर्माण करने के लिए किया गया है; और

(ग) क्या सरकार को अपने उपयोग के लिए अन्यत्र भूमि खरीदनी होगी और क्या इन परिस्थितियों में इस पट्टे को रद्द करने का विचार है और यदि नहीं, तो इसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री लाल बहादुर शास्त्री) : (क) और (ख) भारतीय रेलों पर 'जतनाबाद' नाम का कोई स्टेशन नहीं है। लेकिन एक स्टेशन 'जहानाबाद' नाम का जो पूर्व रेलवे के गया-पटना खण्ड पर गया जंक्शन से 47 किलोमीटर की दूरी पर स्थित

है। सम्भवतः माननीय सदस्य इसी स्टेशन का उल्लेख कर रहे हैं।

गया जंक्शन और जहानाबाद स्टेशन पर अस्थायी आधार पर, रेलवे की भूमि के निम्नलिखित प्लॉट लायसेंस पर विद्ये गये हैं। इन लायसेंसों का नवीकरण प्रति वर्ष किया जाता है। इन प्लॉटों में से किसी पर गोदाम का निर्माण नहीं किया गया है।

नया जंक्शन :

(1) 175' X 70' क्षेत्रफल का पेट्रोल पम्प
एक प्लॉट—भारतीय तेल स्थापित करने के
निगम को। के लिए अत्या-

(2) 20' X 30' क्षेत्रफल का हार गृह के लिए
एक-एक प्लॉट—श्री रमेश
कुमार और श्री विनोद
कुमार को।

जहानाबाद स्टेशन :

150' X 100' क्षेत्रफल का
एक प्लॉट—भारतीय तेल
निगम को।

(ग) गया या जहानाबाद स्टेशन पर, इस समय भूमि अधिग्रहण का कोई प्रस्ताव नहीं है। इसलिए इन स्टेशनों पर लायसेंसों को रद्द करने का प्रश्न नहीं उठता।

Import of high grade Polystyrene

1292. SHRI JANARDHANA POOJARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether All India Plastics manufacturers have urged Government to allow the import of high impact grade polystyrene; and

(b) if so, the decision of Government thereon?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a). Yes, Sir.

(b) The demand, the availability and the gap to be filled by imports of polystyrene is under review and a final decision is expected to be taken shortly.

Indian Railway Expertise for Foreign Countries

1295. SHRI MANORANJAN BHAKTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether India is collaborating with a number of foreign countries for laying of railway lines and manufacture of rail equipment and, if so, the names of those countries; and

(b) what is the nature of expertise and technical assistance the Indian Railway Engineers are offering to those countries?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Indian Railways have offered to share their technical know-how in the railway sector with other developing countries who are planning to develop their respective railway systems. Rail India Technical and Economic Services Ltd. (RITES) and the Indian Railway Construction Co. Ltd. (IRCON), two public sector undertakings, have been set up under the Ministry of Railways, the former to provide consultancy services in various spheres of railway technology and management and the latter to undertake the construction of major railway projects abroad. The names of the various countries where assignments have either been completed already or are in progress are Iran, Syria, Ghana, Malaysia, Bangladesh, Zaire, Philippines and Nigeria. A few assignments have been secured in India also.

Review of Inventory Control Procedures

1296. SHRI G. M. BANATWALLA:

SHRI SUBHASH CHANDRA
BOSE ALLURI:

DR. SAROJINI MAHISHI:

Will the Minister of RAILWAYS be pleased to lay a statement showing:

(a) whether a special committee which was set up sometimes back for reviewing the inventory control procedures and streamlining the working of Railways has since submitted its report, if so, what were its recommendations; and

(b) progress, so far, made in regard to the implementation of the recommendations ?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). A Committee was set up in 1973 to review the working of Stores Organisation of the Railways. The Committee on Inventory Management thus set up submitted two reports with 115 recommendations on the following aspects:—

- (i) Procurement of Stores.
- (ii) Payment of Suppliers' Bills.
- (iii) Disposal of Surplus Stores and Scrap.
- (iv) Materials Management in Production Units.
- (v) System to check thefts and pilferages in Stores Depots.
- (vi) Quality Control of spare parts.
- (vii) Import of spare parts for Rolling Stock.
- (viii) Setting up of Ancillary Industries around Railway Production Units.
- (ix) Materials Management Organisation.
- (x) General.

2. All the recommendations have been accepted and 106 recommendations have already been implemented. The rest of the recommendations are at various stages of processing.

Well Drilling in West Bengal

1297. SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware that wherever any well is started in West Bengal for deep drilling i.e. beyond 4,000 metres, there is invariably

some accident in the well and the drilling programme is upset, but no such mishap happens when the well in question is shallow which foils the extraction of crude oil in West Bengal; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) So far only one well viz. Bodra has been drilled by the ONGC beyond 4,000 metres in West Bengal which was projected to 5,000 mts, but was terminated at a depth of 4,193 metres due to down hole complications. However all the interesting horizons above the terminal depth were tested for hydrocarbons. The other well at Diamond Harbour projected to a depth of 5,500 metres is presently under drilling. There is no study to indicate that crude oil occurs only beyond 4,000 metres of depth in West Bengal.

(b). Complications arise during drilling due to many reasons, particularly mechanical failure of equipment and material. There are methods to liquidate the complications which are applied depending upon the situations. While it is easier to liquidate the complications in shallow wells, it is not so easy when the wells are very deep. Therefore, often the liquidation of complications in deep wells take long time and sometimes it is considered not worth pursuing the liquidation job further for technical reasons.

Accidents in Well Drilling

1298. SHRIMATI AHILYA P. RANGNEKAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state the number of accidents in well drilling which have upset the drilling programme during the last three years; State-wise and names of the places?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): There was a blow out at a well in Ankleshwar in Gujarat State at a very shallow depth of 94 metres in which the draw works and mast were damaged. There have, however, been no accidents in well drilling during the last three years serious enough to upset the drilling programme.

कुकिंग गैस कनेक्शन

1299. श्री एस० एस० सोमानी : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) गैस एजेंसियों पर विभिन्न श्रेणियों के कितने लोगों ने कुकिंग गैस के नये कनेक्शन प्राप्त करने के लिए अपने नाम दर्ज कराये हैं; और

(ख) गैस सप्लाई की स्थिति सुधारने के लिए क्या कदम उठाये जा रहे हैं?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती मन्धन बहुगुणा) : (क) विभिन्न तेल कंपनियों के डीलरों के पास रजिस्टर्ड व्यक्तियों की संख्या और तरल पेट्रोलियम गैस (कुकिंग गैस) के कनेक्शनों के लिए इन्तजार कर रहे व्यक्तियों की संख्या इस प्रकार है:—

इंडियन आयल कार्पोरेशन	5,80,000 (31-3-78 को)
भारत पेट्रोलियम कार्पोरेशन	3,55,000 (30-6-78 को)
हिन्दुस्तान पेट्रोलियम कार्पोरेशन	2,00,000 (31-10-78 को)
हिन्दुस्तान पेट्रोलियम कार्पोरेशन (विशाख) विपणन यूनिट)	51,850 (31-10-78 को)

तरल पेट्रोलियम गैस के डीस्टर द्वारा अध्यायी का श्रेणी-वार रजिस्ट्रेशन नहीं किया जाता।

(ख) वर्ष 1980-81 से देश में निम्नलिखित को प्रारम्भ करने से तरल पेट्रोलियम गैस की उपलब्धता में वृद्धि होने की आशा है:

- बम्बई हाई संवद्ध गैस से कुकिंग गैस को प्रलप करने के लिए सुविधायें;
- सयूरा शोधनशाला;
- कोयाली शोधनशाला में सैकेण्ट्री प्रोसेसिंग सुविधायें; और
- बोंगाईगांव शोधनशाला की कोकर यूनिट।

उपर्युक्त उपायों से वर्ष 1980-81 के बाद से कुकिंग गैस की उपलब्धता में महत्वपूर्ण वृद्धि होने की आशा है जब महत्वपूर्ण स्तर पर कुकिंग गैस कनेक्शन देना सम्भव हो सकेगा।

Issue of Registration Certificates to Drug Firms

1300. SHRI S. S. SOMANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) names of drug firms who were not issued registration Certificate but have been issued Permission Letters, items covered by each Permission Letter and capacities granted along with production of each item during the last three years;

(b) how many items are being produced by such companies in excess of their licensed capacities; and

(c) whether it is a fact that canalised raw materials are released in accordance with a definite policy which does not permit increase in release to the organised sector units; if so, details of releases of canalised raw materials made to these companies during the last three years, yearwise?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The following drug firms hold Permission Letters but no Registration Certificates:

1. M/s. Hoechst
2. M/s. Sandoz
3. M/s. Anglo French
4. M/s. Merck Sharp & Dhome
5. M/s. Johnson & Johnson
6. M/s. Roche
7. M/s. Indo Pharma
8. M/s. Dey's Medical Stone
9. M/s. German Remedies
10. M/s. Reckitt & Colman

Details of each Permission Letter are indicated in Annexure II of Chapter V of the Report of the Committee (Hathi) on Drugs and Pharmaceuticals Industry, a copy of which was laid on the Table of the House on 8-5-75. The production of each item covered by Permission Letters is not readily available. However, as part of the exercise for consolidation of licences and other exercises being currently undertaken in pursuance of Government's decision on the Hathi Committee Report, all firms (including those featured above) have now been asked to furnish all the data.

(b) The names of bulk drugs manufactured in excess of their licensed/approved capacities by concerned companies out of the above, in any of the last three years, are indicated in the attached Statement.

(c) The policy in force upto December 1977 regarding release of canalised raw materials applicable to

DGTD Units was that such units could be released materials to the extent of the best of past two years consumption or the quantity recommended by the State Drug Controller, whichever was less. From January 1978 onwards, such units were to be released canalised raw materials, to the extent of releases made in 1976-77 or as per entitlement based on licensed capacity of formulations, whichever was higher.

Details of release of canalised raw materials to M/s. Sandoz and M/s. Dey's Medical Stores during the last three years have been furnished in reply to Lok Sabha Unstarred Question No. 1192 being answered today. Details about similar releases made in favour of M/s. Hoechst have been furnished in reply to Lok Sabha Starred Question No. 128 being answered today. Similar details in respect of the remaining companies are being collected and will be laid on the Table of the House.

Statement

S.No.	Name of Company	Name of Bulk Drug
1.	M/s. Hoechst	1. Benzocaine 2. Avil Maleate 3. Furseamide 4. Prenylamine Lactate. 5. Glybenclamide
2.	M/s. Sandoz	Calcium Gluconate and its salts.
3.	M/s. Roche	1. Dehydrometidine Hcl. 2. Vitamin 'A'
4.	M/s. German Remedies	1. Sulfamoxole 2. Bicacodyl B. P. 3. Hydroxy-Ethyl Theophylline
5.	M/s. Rackett & Colman	Not available.

बाबली-बड़ी सादड़ी रेल लाइन का बन्द किया जाना

1301. श्री एस० एस० सोमानी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बाबली-बड़ी सादड़ी रेल लाइन बन्द करने का विचार है;

(ख) यदि हां, तो इसके क्या कारण हैं;

(ग) क्या इस प्रश्न पर किसी अधिकारी द्वारा किसी समिति ने विचार किया है;

(घ) क्या सरकार को स्थानीय लोगों में व्याप्त असन्तोष के बारे में पता है; और

(ङ) इस बारे में सरकार की क्या प्रतिक्रिया है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) जी नहीं ।

(ख) प्रश्न नहीं उठता ।

(ग) जी नहीं ।

(घ) जी नहीं ।

(ङ) प्रश्न नहीं उठता ।

दिल्ली और उदयपुर के बीच चेतक एक्सप्रेस

1302. श्री एस० एस० सोमानी : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि दिल्ली और उदयपुर के बीच एक सीधी रेल गाड़ी केवल 'चेतक एक्सप्रेस' है;

(ख) क्या सरकार को यह भी पता है कि यह रेलगाड़ी सर्वद्वार विलम्ब से चलती है;

(ग) क्या सरकार का विचार इस रेलगाड़ी को डीजल इंजन से चलाने का है और यदि नहीं, तो उसके क्या कारण हैं; और

(घ) क्या यातायात तथा दूरी को देखते हुए सरकार का विचार इसकी गति बढ़ाने का है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) जी हां ।

(ख) पिछले दो महीनों के दौरान 15/16 दिल्ली-उदयपुर चेतक एक्सप्रेस का समय-पालन संतोषजनक नहीं रहा है ।

(ग) और (घ) मीटर लाइन के डीजल इंजनों के अभाव में 15/16 दिल्ली-उदयपुर चेतक एक्सप्रेस का डीजलीकरण संभव नहीं है । रेल पटरी और कर्षण को वर्तमान स्थितियों के कारण इन गाड़ियों की गति में वृद्धि करना भी व्यावहारिक नहीं है ।

Setting up of New Refineries.

1303. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government propose to set up new refineries in the country in the near future; and

(b) if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) No, Sir.

(b) Does not arise.

World Bank and I.D.A. Financial Assistance to Indian Railways

1304. SHRI SUBHASH CHANDRA BOSE ALLURI: Will the Minister of RAILWAYS be pleased to state the details of the financial assistance received from the World Bank and International Development Association for the development of Indian Railways during the year 1977-78 and so far during the 1978-79 and the development work carried out from this aid, so far?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):

1977-78

US Dollars 33.24 Million equivalent.

1978-79 (Upto October 31, 1978)

US Dollars 16.72 Million equivalent.

IDA assistance for the above amount was utilised for meeting the import requirements of items not available indigenously or for which indigenous capacity is not adequate. The items imported include parts and components for manufacture and maintenance of rolling stock, items for

signalling and tele-communication schemes, track machines and some items of plant and machinery.

Setting up of Petro-Chemical Complex near Cochin

1305. SHRI GEORGE MATHEW: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what are the hitches in setting up the proposed petro-chemical complex, near Cochin in Kerala; and

(b) considering the high rate of unemployment of the educated in Kerala, will the Union Government take immediate steps to set up this proposed petro-chemical complex near Cochin?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). A number of studies are under way to work out the details of the new petrochemical projects which need to be set up during the Sixth Five Year Plan. A final decision regarding the projects to be taken up for implementation including their locations, will be taken on receipt of the reports of the studies. If and when it is decided to set up any new petrochemical project the proposal of the Kerala Government would also be kept in view.

Prices of Natural Rubber

1306. SHRI GEORGE MATHEW: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware that the price of natural rubber is often artificially depressed by the monopoly tyre manufacturers, by secretly joining together as a cartel; and

(b) will he order an enquiry into the matter so that the poor small

rubber growers of Kerala can be saved from the clutches of the large monopoly tyre houses and their price fixers?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). The Department of Company Affairs has not received any complaint regarding the alleged artificial depression of the price of natural rubber brought about by the monopoly tyre manufacturers secretly joining together as a cartel. However, on a reference received from the Department of Industrial Development, the M.R.T.P. Commission has recently ordered a restrictive trade practice inquiry against the tyre companies which raised in concert the prices of various categories of tyres and tubes in the last week of March, 1978.

2. According to the Department of Commerce, which is the Administrative Department for "Natural Rubber" the price of indigenous natural rubber during the last several months has been ruling above the notified minimum prices fixed in August, 1977 due to shortage in supply and that Government authorised the S. T. C. to import 15,000 tonnes of natural rubber in September, 1978 to meet the shortage. That Department has proposed to convene a meeting of the representatives of various interests including the representatives of Governments of rubber producing States to discuss various aspects of the matter including the reasonable price range for rubber.

Trivandrum Division

1307. SHRI GEORGE MATHEW: SHRI VAYALAR RAVI:

Will the Minister of RAILWAYS be pleased to state:

(a) whether the proposed new Trivandrum Division can be set up

without prejudice to the Olavakkot Division;

(b) if conflicting interests arise, will the Union Government take the opinion of the Kerala Government as final; and

(c) after taking into consideration all shades of opinion how soon can the proposed Trivandrum Division be established?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):

(a) to (c). The decision on the formation of a new Railway Division with headquarters at Trivandrum has been taken without prejudice to the existence of Olavakkot Division since Olavakkot will continue to be the headquarters of the Olavakkot Division. All that is being considered is certain jurisdictional modifications to give some relief to the existing heavily worked Olavakkot and Madurai Divisions. Since, in the interest of operational and administrative efficiency, a new division has to be formed out of the two existing divisions, some changes in the jurisdiction of these divisions are inevitable. As a large number of representations from various parties from Cochin, Palghat and Malabar areas of Kerala about defining the territorial jurisdictions of the 3 divisions were received, the Chief Minister of Kerala was requested to reconcile the differences between different parties so as to evolve a suitable jurisdiction for the proposed Trivandrum Division which will be acceptable to all and also be viable. The Chief Minister convened a conference on 2nd November, 1978 and a communication has been received in this regard from the Chief Minister of Kerala. Further action will be taken after giving due weightage to the opinion expressed by all parties and interests as communicated by the Kerala Government. After the decision is finally taken, the new division can start functioning in a couple of months.

Absorption of Appointee Trainees by I.O.C. Barauni

1308. **SHRI A. K. ROY:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the number of apprentice trainees taken by the Indian Oil Corporation Barauni Refinery (Bihar) in the last three years and the number of them absorbed in the same after training;

(b) whether it is a fact that the rate of absorption is less compared with other public sector units under the same Ministry, if so, facts in details;

(c) whether there is a relay hunger strike continuing since 26th June, 1978 on this issue at Barauni creating great unrest there by the apprentice trainees of the refinery; and

(d) if so, steps taken in the matter?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) During the period March '75 to March '78 Barauni Refinery engaged 210 trade apprentices. Out of this 23 apprentices were absorbed by the Refinery.

(b) No, Sir. However, the intake of trade apprentices prescribed by the Apprenticeship authorities being very large as compared to the vacancies available as also the refinery having surplus staff, the chances of absorption of apprentices are very meagre in the Barauni Refinery. In fact the management has written to the Regional Directorate of Apprenticeship Training (Eastern Region) seeking exemption from recruiting any trade apprentices in future.

(c) Yes, Sir.

(d) Efforts are being made by the refinery management, State Government authorities, Regional Director, Apprentices Training (Eastern Region)

and the unions to persuade the apprentices to withdraw their hunger strike and give up their agitational approach.

Allotment of Railway Land for Stalls at Dhanbad

1309. SHRI A. K. ROY: Will the Minister of RAILWAYS be pleased to state:

(a) whether the representation of the Secretary Hawkers' Committee, Dhanbad, on allotment of railway land for stalls has been received; and

(b) whether it is a fact that while the railway land has been provided on licence at Asansol and Gaya for shops, the same has been denied at Dhanbad, if so, reason thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):
(a) Yes.

(b) Railway land is licensed only at those locations/areas where it is not immediately required for Railway's use and where such licensing would not in any way affect Railway's work. Conditions differ from place to place and no parallel can, therefore, be drawn between Dhanbad, Asansol and Gaya.

At Dhanbad the demand is for licensing of Railway land adjacent to station approach road, and the Railway Administration is not in favour of licensing any further land in this area as it would increase congestion on station approach road. Passengers Association has also represented that no further area should be licensed along the station approach road for shops, for the same reason.

By-Elections Pending for Lok Sabha and State Legislatures

1310. PROF. P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether one or more by-elections are pending for the Lok Sabha and the various State Legislatures;

(b) if so, full facts thereof;

(c) when are the said by-elections scheduled to be held;

(d) reasons for delay in holding the said by-elections in each case;

(e) whether there are any specific rules or conventions making it obligatory to hold a by-election within a prescribed period of time, and if so, what are they and whether they are followed; and

(f) if there are no such rules, whether it is proposed to frame and pass them soon?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) to (d). Two statements containing the requisite information are laid on the Table of the House. [Placed in Library. See No. LT-2888/78.]

(e) No, Sir, There are no such rules or conventions.

(f) No such proposal is under consideration.

Expensive Life saving Drugs

1311. PROF. P. G. MAVALANKAR: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware that some life saving drugs and other vital medicines are either very expensive or scarce or both in the country;

(b) if so steps and measures taken by Government to remedy and ease the situation;

(c) whether Government have any drug price policy in general and specific regulations/controls in particular with a view to helping the distressed and the poor; and

(d) if so, what is it and how is it being implemented?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). The price of drugs and formulations including life saving drugs are regulated by the Government under the provisions of Drugs (Prices Control) Order, 1970 with the basic objective of ensuring their equitable distribution and availability at fair prices.

The prices of drugs, including essential life saving drugs have generally remained stable over the last one year as can be seen from the following movement of the wholesale price index of drugs:—

Year	Wholesale price index for drugs and medicines (1970-71 = 100 as base)	Percentage increase
1975-76.	118.7	
1976-77.	133.9	(+) 13% over 75-76
1977-78.	136.3	(+) 1.8% over 76-77
April to Sept. '78	136.2	Price held at 77-78 level.

There is neither general nor acute shortage of life saving drugs and other vital medicines. The Drug Controllers of the States as well as Zonal Drug

Controllers report the shortages on a monthly basis. The shortages are reviewed in a monthly meeting with the concerned organisations and representatives of the manufacturers and steps taken to remove the shortage, if any.

(c) and (d). The new drug policy contained in the statement laid out on the table of the Lok Sabha on the 29th March, 1978 includes pricing policy. The pricing policy sets out the measures proposed to be taken by the Government with a view to rationalising the price of drugs and medicines including life saving drugs. While under the new policy Category I and II formulations mostly required by the masses would carry a mark up of 40 per cent and 55 per cent respectively. Category III formulations will carry a mark up of upto 100 per cent and there will be no price control on Category IV formulations. The new policy also envisages that for an initial period of one year, prices of existing formulations in Category I and II would be frozen with the leader prices worked out in respect of efficient major manufacturers operating as a ceiling. Where the current prices of individual manufacturers in respect of such formulations are lower than the leader prices, no increase in prices shall be allowed and wherever the current prices of the individual manufacturers in respect of such formulation are higher than the leader prices, such manufacturers will be required to bring down their prices to the leader prices level. The prices of Category III formulations will also stay frozen for an initial period of one year.

Provision of Facilities in Navasari Railway Station

1312. PROF. P. G. MAVALANKAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that the Navasari railway station in South Gujarat on the Western Railway is in some sort of shambles and shattering conditions;

(b) if so, whether Government are taking any concrete and immediate steps to remedy and improve the said situation at Navasari; and

(c) if so, what are they and how soon they will show results in terms of better facilities, stronger and wider platforms, proper sheds etc.?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):
(a) to (c). Station Building of Navasari Railway Station is in good shape and in a structurally sound condition. The station building is regularly white-washed and maintained. Repairs are attended to as and when required. There is no necessity for reconstruction/renovation of the station building at present.

There is also no proposal at present for augmenting the existing facilities.

Illegal Trade in Rail Reservations

1313. SHRI PIUS TIRKEY:

PROF. SAMAR GUHA:

Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that despite assurances to root out to the evil, illegal trade in rail reservations in big cities of the country, the same is still continuing;

(b) whether it is also a fact that public were faced with great difficulties during the last summer season?

(c) if so, in what manner Government propose to meet the situation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN):
(a) to (c). Cases of blackmarketing of railway reservation by unauthorised agents, touts and other anti-social elements have come to the notice of the

Railway Administration specially during the period of summer rush when such activity always tends to reappear. As a result of intensified checks conducted to check the corrupt and irregular activities, a number of unauthorised persons, touts and other anti-social elements have been apprehended. Reservation arrangements have been streamlined and checks have been further intensified with the help of anti-fraud squads and Vigilance Organisation. To create an immediate impact, a special squad has been set up in the Railway Ministry to root out corruption in the booking and reservation of rail tickets. Special drives are being organised from time to time to ensure that genuine passengers are not put to any inconvenience in obtaining reservations.

Oil Exploration Surveys in Himalayas

1314. SHRI PIUS TIRKEY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the names of the valleys in the Himalayas where oil exploration surveys are being conducted at present;

(b) the amount so far spent thereon; and

(c) whether any result has been achieved and if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
(a) Currently three geological exploration parties are carrying out survey work in different parts of the Himalayas. One party is carrying out the survey in the Sutlej valley region in Himachal Pradesh. The second party is working West of Jammu and the third party is deployed in Rangit valley, Darjeeling.

(b) An expenditure of Rs. 30.83 lakhs was incurred on exploratory surveys in the Himalayas during the

field seasons 1975-76 and 1976-77. Information regarding expenditure on the field season 1977-78 is not yet available.

(c) No commercial accumulations of hydrocarbons have so far been discovered in these areas.

World Bank Assistance for Erecting Platform for Drilling in Bassein, off Bombay

1315. SHRI PIUS TIRKEY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) total amount so far received from the World Bank for erecting, purchasing and procuring platform etc. for drilling in Bassein, off Bombay etc.;

(b) the manner in which the amount has been spent;

(c) whether the amount has been spent under the supervision of Government; and

(d) what is the cost of each platform and the names of the companies to whom the construction work was given?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) to (d). The International Bank for Reconstruction & Development has sanctioned a loan of US \$ 150 million for part financing of Phase-III development programme of Bombay High project. Out of this amount, ONGC has drawn US \$ 68 million for payment to M/s. Brown & Root, who were awarded the contract after Government approval for laying of the sub-sea pipeline from Bombay High to Uran.

No contract has yet been awarded for construction, erection, etc. of processing platform and well platforms and hence no amount has therefore been drawn for this purpose.

Take-Over of Toshiba Anand Lamps by Crompton

1316. SHRI N. SREEKANTAN NAIR:

SHRI VAYALAR RAVI:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the 'Toshiba Anand Lamps' is being taken over by the 'Crompton' without the approval of the MRTP Commission; and

(b) if so, what methods are adopted by Crompton to refuse seeking permission from MRTP Commission and action taken against this firm for violation of the MRTP Act?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) and (b). M/s. Crompton Greaves Limited have submitted applications to the Department of Company Affairs seeking approval of the Central Government under Section 372(4) of the Companies Act, 1956 and Section 23(4) of MRTP Act, 1969 for the acquisition of 3,75,027 equity shares of Rs. 10/- each fully paid up of M/s. Toshiba Anand Lamps Limited.

The investing company is not required to seek the approval of the MRTP Commission for such acquisition. However, under sub-section (6) of Section 23 of the MRTP Act, the Central Government may, if it thinks fit, refer the matter to the MRTP Commission for an enquiry and furnishing its opinion on the application under Section 23 (4) of the MRTP Act, 1969.

Crompton Greaves Ltd. have submitted an application to the Department of Industrial Development for approval, in principle, to the amalgamation of the two companies under Section 72(A) of the Income Tax Act, 1962. All the three applications are under consideration.

Production Capacity of Fertilizer Factories

1317. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the total production capacity of the fertilizer factories; and

(b) the percentage of their utilisation in the country?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). The requisite details are given below:

	Nitrogen	Phosphate (P_2O_5)
Present installed capacity (in lakh tonnes)	32.59*	10.80**
Capacity utilisation during April-October, 1978 (Present)	66	74.9

*90,000 tonnes capacity at Sindri is not in operation at present.

**31,000 tonnes of P_2O_5 capacity is not in production.

Exploration for Petroleum in Arabian Sea and Bay of Bengal

1318. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are exploring in Arabian Sea, or Bay of Bengal to find out the deposits of Petroleum; and

(b) if so, the results?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). Exploration for discovering hydrocarbons has been done in the

past and is also being continued at present both in Arabian sea and Bay of Bengal.

The result of earlier efforts include discovery of oil in commercial quantities in Bombay High and North Bassein structures and gas in commercial quantities in South Bassein structure.

Presently ONGC is drilling on three structures in the Arabian Sea. Oil India Limited is doing exploration work in the Mahanadi Basin in the Bay of Bengal and is working on a plan to spud its first well some time during 1979.

Demand of Natural Gas

1319. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the demand of Natural Gas in this country; and

(b) the supply of the product?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) No assessment of the demand for natural gas in the country has been made. The studies have been confined to making the best use of available supplies.

(b) Natural Gas is presently being produced in Gujarat, Assam and Bombay Off-shore. It is mainly in Assam that some of the gas produced is not being utilised. A study group has been set up to go into the question of utilisation of gas in Assam.

Proposal for Fertilizer Factory in Andhra Pradesh

1320. SHRI P. RAJAGOPAL NAIDU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether there is any proposal with Government to start another

fertilizer factory in Andhra Pradesh to produce Ammonium Sulphate and Calcium Ammonium Nitrate; and

(b) if not, the reasons therefor?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). In Andhra Pradesh, there is one operating unit at Vizag engaged in the production of complex fertilizers. Besides, two projects, one each at Ramagundam and Kakinada for production of Ammonia and Urea, are under implementation.

Location of a fertilizer project is based on techno-economic considerations which *inter alia* include factors such as availability of feedstock, availability of infrastructure facilities, proximity to the market and demand of fertilizers in the economic marketing zone of the projects, etc. During the Sixth Five Year Plan, it is proposed to set up new projects based mainly on gas available in the Bombay High/Bassein and Assam, near the source of supply. There is no proposal to set up a fertilizer project in Andhra Pradesh for production of Ammonium Sulphate and Calcium Ammonium Nitrate. For development of additional capacity, preference is being given to urea which is a high analysis straight nitrogenous fertilizer.

Proposal to Amend Criminal Procedure Code and Civil Procedure Code

1321. DR. VASANT KUMAR PANDIT: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Law Minister is considering a proposal to bring a comprehensive Bill to amend the Criminal Procedure Code and the Civil Procedure Code so as to cut down inordinate delays in legislation and to reduce the cost to the Government and the parties; and

(b) whether the Chief Justice of India, Mr. Justice Y. V. Chandrachud has publicly suggested the scrapping of Cross Examination in Court and substantiate the same through written arguments to save the time?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) No, Sir. However, the problem of cutting down delays in courts, whether by legislation or otherwise, is always kept in view by the Government.

(b) Government has seen a press report regarding the suggestion in question.

Gas Production per day from Bombay High

1322. DR. VASANT KUMAR PANDIT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the estimated Gas per day from the Bombay High project at this stage;

(b) how much more gas per day is planned from Bombay High in the coming phases;

(c) whether 75 per cent of the current Gas from Bombay High is committed to Gujarat and Maharashtra for fertilizers projects;

(d) what is the decision about the surplus Gas utilisation, its purpose and for which State; and

(e) whether Government have received a request from the Government of Madhya Pradesh for utilisation of this surplus Gas for a fertiliser plant in the Backward area of District Jhabua?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). The present rate of production of associated gas from Bombay High is approximately 1.15 million cubic metres per day. As per the revised programme, the quantity of associated gas likely to be produced from Bombay High would be as below:-

Year	Gas in Million cubic metres per day
1978-79	1.15
1979-80	1.35
1980-81	1.80
1981-82	2.50
1982-83	2.70

(c) to (e). In order to study the optimum utilisation of offshore gas from Bombay High, Bassein North and Bassein South two working groups were set up for Gujarat and Maharashtra States. Their recommendations which have been broadly accepted by Government *inter-alia* include setting up of four fertilizer projects—two in Maharashtra and two in Gujarat. Whereas, the working group for Gujarat has estimated the requirements to be approximately 3.81 million cubic metres per day by 1985-86, the working group for Maharashtra has estimated the requirements to be approximately 5.5 million cubic metres per day by 1984-85.

A letter has been received from the Chief Minister of Madhya Pradesh which *inter-alia* mentions supply of gas from Bombay High for setting up of a major fertilizer complex in the Jabua district.

Offshore gas reserves are a national resource and their utilisation would, therefore, be governed by over-all national considerations and keeping in view their optimum utility in the interest of country's economy.

Complaints regarding Concealment of Earnings by Drug Firms

1323. DR. VASANT KUMAR PANDIT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) how many complaints have been received by the Department regarding concealment of export earnings, illegal transfer and tax evasion by Pharma and Drug Companies with foreign collaboration upto 31st October, 1978;

(b) if so the names of those companies and the illegal amount so involved;

(c) what type of action have Government taken against such companies besides the recovery of taxes and penalties under FERA Regulations; and

(d) whether Government have received complaints regarding some foreign based drug and pharma companies manufacturing cosmetics under the names of Drugs, if so, the action taken on this illegal classification?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) A complaint of such nature has been received by Government against only one foreign company namely M/s. Abbott Laboratories.

(b) to (d). The requisite information has already been furnished in reply to Lok Sabha Unstarred Question Nos. 4749 and 370 answered on 29-8-78 and 21-11-78 respectively.

Cases Pending in Allahabad High Court

1324. SHRI GANGA BHAKAT SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the total number of cases pending in Allahabad High Court as on

31st October, 1978 and since when pending and category-wise number thereof;

(b) the reasons for delay and the time by which cases registered upto 31st December, 1977 are likely to be disposed of; and

(c) the number of posts lying vacant in each grade in this court indicating the dates since when lying vacant and the time by which these are likely to be filled up?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) Information as on 31st October 1978 is not available. A statement containing the requisite information as on 30th June, 1978 is laid on the Table of the House [Placed in Library. See No. LT-2887/78].

(b) The major cause for delay in disposal has been increase in institutions. The institutions increased from 44417 in 1972 to 57571 in 1977 without proportionate and timely increase in the Judge strength. No time limit can be fixed for the disposal of these cases.

(c) Two posts of permanent Judges have been vacant since 22-3-1978 and 4-4-1978 respectively. Appointments against these vacancies have been approved. There is no vacancy of Additional Judge. However, six new posts of Additional Judges sanctioned with effect from the dates they are filled up, have yet to be filled up.

उत्तर प्रदेश में स्थानीय रेलगाड़ियों में भीड़-भाड़

1325. श्री गंगा प्रकाश सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि उत्तर प्रदेश में स्थानीय रेलगाड़ियों में सदा बहुत भीड़-भाड़ रहती है;

(ख) क्या सरकार को इस बारे में कोई शिकायतें प्राप्त हुई हैं, यदि हाँ, तो क्या किसी अध्ययन दल ने इस सम्बन्ध में जांच की है और यदि हाँ, तो तत्सम्बन्धी ब्योरा क्या है; और

(ग) क्या सरकार का विचार गोरखपुर और वाराणसी के बीच और लखनऊ-समस्तीपुर लाइन पर प्रतिरिक्त रेलगाड़ियां चलाने और वर्तमान रेलगाड़ियों के साथ और डिब्बे जोड़ने का है और यदि हाँ, तो तत्सम्बन्धी ब्योरा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) और (ख). यात्री गाड़ियों में भीड़-भाड़ को सीमा का धाकलन करने के लिए, उनमें यात्रियों द्वारा स्थान के उपयोग की संगणना वर्ष में दो बार की जाती है। इन संगणनाओं के परिणाम के आधार पर और अपेक्षित संसाधनों की उपलब्धता को देखते हुए नयी गाड़ियां चलाने के सम्बन्ध में कदम उठाये जाते हैं, गाड़ियों की गमन-दूरी बढ़ायी जाती है तथा गाड़ियों में डिब्बों की संख्या में वृद्धि की जाती है। उत्तर प्रदेश के क्षेत्र में पूर्वोत्तर रेलवे की सभी गाड़ियों में सदा भीड़-भाड़ की अधिकता नहीं पायी जाती।

(ग) गोरखपुर-वाराणसी तथा लखनऊ-समस्तीपुर मार्गों पर, वाराणसी-सोनपुर खण्ड के बड़ी लाइन में बदलाव के कारण, मार्गवर्ती खण्डों पर लाइन क्षमता पर अत्यधिक दबाव होने के कारण प्रतिरिक्त गाड़ियां चलाना इस समय प्रचालनिक दृष्टि से व्यावहारिक नहीं है। फिर भी वर्ष 1977-78 के दौरान विभिन्न खण्डों पर एक या दो यान लगाकर, 23/24, 25/26, 9/10, 49/50 और 17/18 गाड़ियों में डिब्बों की संख्या बढ़ा दी गयी है।

साधारण टिकटधारी यात्रियों द्वारा आरक्षित डिब्बों में यात्रा

1326. श्री गंगा प्रकाश सिंह : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को मालूम है कि साधारण टिकटधारी यात्री आरक्षित श्रेणी (तीन टायर/दो टायर) के डिब्बों में यात्रा कर जाते हैं;

(ख) यदि हाँ, तो इस सम्बन्ध में सरकार द्वारा क्या कार्यवाही की गई है, और इसे कब तक पूर्णतया रोक दिया जायेगा; और

(ग) क्या सरकार इस सम्बन्ध में कोई कार्यवाही कर रही है अथवा गैर-आरक्षण टिकटधारियों को आरक्षित डिब्बों में यात्रा करने की सुविधा दे रही है; और यदि हाँ, तो तत्सम्बन्धी ब्योरा क्या है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) : (क) महानगरों और प्रमुख नगरों के पास पास लम्बी दूरी की डाक और एक्सप्रेस गाड़ियों के आरक्षित डिब्बों में कम दूरी के यात्रियों के घुस बैठने के मामले रेल प्रशासन के नोटिस में आये हैं।

(ख) शयन यानों के साथ इयूटी पर चलने वाले कर्मचारियों को यह सुनिश्चित करने की हिदायत है कि अनधिकृत यात्री शयन-यानों में न घुसें। तथापि, कभी-कभी ऐसे यात्रियों को रोकना कठिन हो जाता है। अचानक छापे भी मारे जाते हैं और इन यानों में यात्रा करते पाये गये कम दूरी के यात्रियों के खिलाफ नियमों के अनुसार कार्रवाई की जाती है। शयन-यानों के साथ चलने वाले कर्मचारियों द्वारा जान-बूझ कर की गयी लापरवाही के मामलों को गम्भीरता से लिया जाता है और उनके खिलाफ उपयुक्त कार्रवाई की जाती है।

(ग) थोड़ी-थोड़ी दूर के दैनिक यात्रियों की सुविधा के लिए निम्नलिखित उपाय किये गये हैं, ताकि वे लम्बी दूरी की डाक और एक्सप्रेस गाड़ियों के प्रारक्षित डिब्बों में न घुसें:—

- (i) महानगरों के ग्राम-पाम के दैनिक यात्रियों के लिए बड़ी संख्या में उपनगरीय गाड़ियां चलायी जाती हैं।
- (ii) अन्य महत्वपूर्ण स्टेशनों के ग्राम-पाम के दैनिक यात्रियों के लिए शटल गाड़ियां चलायी जाती हैं।
- (iii) कुछ प्रारक्षित गाड़ियों, जैसे दक्कन क्वीन, में दैनिक यात्रियों के लिए अनाक्षित डिब्बे लगाये जाते हैं।
- (iv) लम्बी दूरी की गाड़ियों के ढेर से चलने की स्थिति में ग्रामतौर पर उपनगरीय और शटल गाड़ियों को तरजीह दी जाती है ताकि दैनिक यात्रियों को कोई असुविधा न हो।

Cases pending in Courts

1327. SHRI GANGA BHAKT SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether he is aware that about 15000 cases are pending in the various courts of the country as a result of which the people are being denied justice;

(b) the number of cases pending in the various High Courts and the Supreme Court as on the 31st March, 1976, 1977 and 1978 and the date from which the oldest case is pending; and

(c) the reasons for which the hearings of the pending cases are not be-

ing conducted and the action being taken by Government in this regard?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) It is correct that more than 15000 cases are pending in various courts.

(b) According to the information furnished by the Supreme Court the number of regular cases pending in Supreme Court as on 31-3-1976, 31-3-1977 and 31-3-1978 were 10886, 11415 and 17390 respectively. The oldest matters pending in Supreme Court are a few civil appeals of the year 1968 and already pending appeals of that year are on the Daily or Weekly Board and are likely to be disposed of during this year.

The information of cases pending in High Courts as on 31-3-1976, 31-3-1977 and 31-3-1978 and the date from which the oldest case is pending is not available. The number of pending cases as on 30-6-1976, 30-6-1977 and 30-6-1978 and of cases pending for more than ten years is given in the attached statement.

(c) The major cause for delay in arranging hearing of pending cases has been increase in the number of institutions. The following steps have been taken by the Government to speed up the disposal:—

(i) The sanctioned Judge strength of the Supreme Court has been raised from 13 to 17 (excluding the Chief Justice) with effect from the 31st December, 1977 by amending the Supreme Court (Number of Judges) Act, 1956. The vacancies occurring on 1-1-1978 and 22-3-1978 on the retire-

ment of Justice P. K. Goswami and Justice M. H. Beg as well as two of the newly created posts have been filled.

(ii) A substantial number of vacancies in the High Court have been filled up. Initiative has been taken by the Central Government to call for proposals from the State Authorities/Chief Justices and wherever necessary reminders have been issued to the concerned State Authorities/Chief Justices. During the period from 1st April, 1977 to 25th November, 1978 as many as 90 fresh appointments have been made.

(iii) The Judge strength has also been increased in the High Courts in respect of which proposals were received. This increase has been made in the following High Courts from the dates the posts are filled up.

Name of the High Court	Number of Additional posts sanctioned	
	Pmt.	Additional
Allahabad . . .	..	9
Madhya Pradesh . .	..	6
Karnataka . . .	1	5
Himachal Pradesh . .	..	2
Patna . . .	..	5
Rajasthan . . .	..	1
Delhi. . . .	..	4
	1	30
		31

(iv) Letters have been addressed to Bar Councils and Bar Associations of various States requesting them for cooperation and also for suggestions for speedy disposal of cases.

(v) The Law Commission have been requested to suggest suitable measures to tackle the general problem of arrears. They are seized of the matter.

(iv) The Supreme Court, with the approval of the President, has recently amended the Supreme Court Rules to facilitate early disposal of cases in the Supreme Court.

Statement

Statement showing pendency of cases as on 30-6-1976, 30-6-1977 and 30-6-1978 and cases pending for more than 10 years as on 30-6-1978 in the High Courts

Name of the High Court	Number of cases pending on			Cases pending for more than 10 years as on 30-6-78
	30-6-1976	30-6-1977	30-6-1978	
Allahabad	113428	125447	139315	6382
Andhra Pradesh	19837	15332	16735	1
Bombay	54827	53448	54925	1007
Calcutta	76787	74923	69380	6219
Delhi	23364	25058	28946	693
Gauhati	6472	6446	6727	34

I	2	3	4	5
Gujarat	13178	12331	12320	81
Himachal Pradesh	4126	4711	4563	22
Jammu and Kashmir	3427	4344	5339	23
Karnataka	20198	28656	41847	2
Kerala	44056	43919	37389	..
Madhya Pradesh	41538	44172	46652	384
Madras	41627	46925	52919	50
Orissa	6262	5598	6958	2
Patna*	26022	28079	32433	1005
Punjab & Haryana	37137	41565	42599	1452
Rajasthan	20724	19705	22064	476
Sikkim	25	36	19	..
TOTAL	553135	580695	622030	17760

*Main case only.

Assets of Foreign Drug Companies

1328. SHRI K. A. RAJAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) names and total assets of the foreign drug companies operating in India in which direct and indirect share holdings is between 40 per cent and 50 per cent; 51 per cent and 75 per cent and exceeding 75 per cent;

(b) whether Government propose to allow retention of foreign equity beyond 40 per cent depending upon how much foreign technology is involved in the production; and

(c) if so, details thereof?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) The requisite information in respect of drug companies of the organised sector having direct foreign equity exceeding 40 per cent has been furnished in reply to Lok Sabha Unstarred Question No. 1231 being answered today. Similar information in respect

of other drug companies having direct plus indirect foreign equity of more than 40 per cent is given in the Statement attached.

(b) and (c). As per the policy under Foreign Exchange Regulation Act, 1973 the maximum permissible levels of foreign shareholding in companies are 74 per cent or 51 per cent or 40 per cent depending on the nature and character of the activities of the company, with the exception that for 100 per cent export oriented units foreign equity of more than 74 per cent may be allowed on the merits of each case.

However, as per the New Drug Policy foreign companies engaged only in the manufacture of formulations or bulk drugs not involving high technology or both will be required to bring down their foreign equity forthwith to 40 per cent. As regards the remaining companies, the level at which they could retain foreign equity will be examined under the FERA guidelines as applicable to all other industries keeping in view para 17 of the New Drug Policy Statement.

Statement

Sl. No.	Name of the firm	Foreign equity	Yearx	Present equity	Long terms loans	Reserves/Surplus.
1	2	3	4	5	6	7
1.	M/s. Ethnor .	75% (All indirect)	1974 1975 1976	n.a. 5.00 n.a.	n.a. 0.34 n.a.	n.a. 46.67 n.a.
2.	M's. Roussel Pharm. Ltd.	66.67% (including 33.33% indirect)	1974 1975 1976	6.54 6.54 6.54	3.59 65.01 110.49	98.11 63.69 74.67
3.	M's. Wander Limited	49% (including 9% indirect)	1974 1975 1976	15.00 15.00 n.a.	28.64 46.58 n.a.	19.31 20.31 n.a.
4.	M's. Seale (H) Ltd.	47.5% (including 8.37% indirect)	1974 1975 1976	60.00 60.00 60.00	74.03 85.02 54.50	37.09 48.00 49.84
5.	M's. Boehringer Knoll Ltd.	46.4% (including 8% indirect)	1974-75 1975-76 1976-77	3.00 3.70 40.75	55.09 61.42 78.57	245.44 231.20 298.55

Optees of Hubli Division Transferred to Southern Railway

1329. SHRI A. K. RAJAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether all the optees of the Hubli Division have been transferred to Southern Railway; and

(b) if not, whether their case will be considered when the new Trivendrum Division is formed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Optees of Hubli Division have been transferred to Southern Railway to the extent they could be accommodated on that Railway.

(b) No final decision has so far been taken in regard to the formation of the new Trivendrum Division. Only if additional posts are sanctioned will the question of giving options arise.

M/S. Phillips Petroleum Company

1330. SHRI VIJYA KUMAR N. PATIL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware of the fact that the Phillips Petroleum Co. an American Multinational had been indicted by the Federal Grand Jury in Tulsa, Oklahoma (U.S.A.) for violation of tax laws and that three of its executives including the Chairman had been jailed for a period of five years on charges among others of bribing their foreign agents; and

(b) if so, furnish details of action/proposed against this reason for delay in taking action?

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). The Federal Grand Jury in Tulsa, Oklahoma, U.S.A. had conducted investigation on the tax law violation by the Phillips Petroleum Company of U.S.A. In

the indictment filed in the US District Court, the Grand Jury indicated Phillips Petroleum Company and some of its executives on seven counts. Some of these relate to Company's failure to show in its tax returns, money received from Cochin Refineries Ltd. in India as Technical Services Fee. The Chief District Judge in Tulsa has dismissed the entire indictment of Phillips Petroleum Company and all other defendants. Subsequently, the Department of Justice of USA filed a criminal indictment against the Phillips Petroleum Co. including the charge among the others that the Company failed to report in its tax return incomes received from Cochin Refineries Ltd. In the criminal suit, the US District Court for the Northern District of Oklahoma found Phillips Petroleum Co. guilty and levied a total fine of \$ 30,000.

Government have no information regarding three of its executives including Chairman being jailed for a period of five years on charges among others of bribing their foreign agents agents.

Government of India cannot take any action on Phillips Petroleum Co. of U.S.A. for the violation of the tax law of that country.

Purchase of Pessian and H.D.P. bags by fertilizer plant at Panipat

1331. DR. SAROJINI MAHISHI. Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have enquired into the working of Fertilizer plant at Panipat;

(b) whether this Fertilizer Unit has recently purchased Hessian bags and H.D.P. bags, if so, what are the details in this regard including the rates at which the purchases were made;

(c) whether quotations were invited from the dealers; if so, what are

the details of the quotations submitted by each dealer; and

(d) what is the period of contract of the present suppliers?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) No, Sir. Government have not felt the need for a general enquiry into the working of the fertilizer unit of M/s. National Fertilizers Ltd. coming up at Panipat.

(b) and (d). M/s. National Fertilizers Ltd. who are implementing the Panipat, Bhatinda and Nangal Expansion projects invited tenders in May, 1978 on an All India basis for the supply of around 60 lakhs (25 per cent) bags for packing ara for heir requirement for the above plants for the period August, 1978 to March, 1979. Individual units did not invite tenders NFL have awarded a contract for the supply of 40 lakh bags for the three units on M/s Haryana Jute and Laminating Works, Calcutta at total approximate price of Rs. 381.86 per 100 bags F.O.R. Panipat including sales tax (which consists of a fixed component at Rs. 113.85 per 100 bags F.O.R. Calcutta) and another contract for supply of 6 lakh number of bags on M/s. India Burlap and Laminating Works at total approximate price of Rs. 384.32 per 100 bags F.O.R. Panipat including sales tax (which consists of a fixed component at Rs. 145 per 100 bags F.O.R. destination).

The Panipat unit has not issued any purchase order against the said contract, or purchased jute bags/HDP bags from any other source. The unit is expected to issue purchase orders for its requirement, after the start up of trial production some time in realy 1979 against the contracts in force at that time.

(c) Yes, Sir. Details of the quotations received by NFL are given in the statement laid on the Table of the House [Placed in Library. See No. LT 2890/78]

Excess in Production beyond Licensed Capacity by Drug Firms

1332. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM, CHEMICAL AND FERTILIZERS be pleased to state;

(a) names and particulars of the branches or subsidiaries of multi-national drug firms who have been producing certain types of drugs far in excess of licensed capacity;

(b) particulars of drugs which are being produced in excess of licensed capacity; and

(c) what action, if any, has been or is being taken against the firms concerned?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). The names and other requisite particulars relating to branches or subsidiaries of multi-national drug firms who have been found producing bulk drugs in excess of their licenced/approved capacity during the last 3 years (period ending 1976/1976-77) are indicated in the Statement laid on the Table of the House. [Placed in Library. See No. LT-2891/78]

(c) Government's policy in this respect is contained in para 27.3 of the Statement on the new Drug Policy, tabled in the Lok Sabha on 29-3-1978 and steps are being taken to implement this policy.

Policy towards Temporary and Casual Staff

1333. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state what is policy of Government towards temporary and casual staff?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): Temporary staff are confirmed in their turn on occurrence of regular vacancies and then they attain permanent status. Casual labour on open line Railways get temporary status on completion of 120 days' continuous service and become entitled to most of the privileges admissible to temporary Railway servants. Casual labour in construction projects are given 1/30th of scale rate of pay plus dearness allowance on completion of 180 days' continuous service on the same type of work.

Casual labour who have put in 120 days continuous service are eligible for screening and absorption against regular Class IV posts on the basis of their length of service. In the last 8 years, 1.35 lakhs of such personnel have been regularised. Government's policy is to speed up such regularisation for which a cadre review has been ordered.

Overcharging for Drugs by Foreign Drug Firms

1334. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to refer to the answer to Unstarred Question No. 1242 dated 20th July, 1978 regarding Over-invoicing and Under-invoicing by Drug Firms and state;

(a) whether it has been alleged that many foreign drug firms including Roche Products, Burroughs Wellcome, May and Baker, Pfizer, Park Davis, Glaxo Laboratories and others have been systematically over-charging for the drugs or raw materials for drugs exported by their parent companies;

(b) whether there are charges of over charging against above mentioned companies;

(c) if so, the details of those charges; and

(d) action taken on the same?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (d). Information is being collected and will be laid on the Table of the House.

Amount given by certain Companies to Sovienier Committee of Congress

1335. SHRI HALIMUDDIN AHMAD: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) total amount given to the Sovienier Committee of the Congress Party during the 1975-76 and 1976-77 by the M/s Jeeyajee Cotton Mills, Gwalior Rayons, TELCO, TISCO, Hindustan Lever, Philips India Ltd., and Rounaq Enterprises;

(b) whether the Government are proposing to take any action against these companies as they have violated the companies rules;

(c) if so, the details of the penal action to be taken and when the action is likely to be taken thereof; and

(d) if not, the reasons thereof?

THE MINISTER OF EDUCATION SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) As per the information readily available in the Department of Company Affairs the names of such of the companies (out of those referred to in the question) which made payments to the Congress Party and its various organs, together with the amount paid by them during the years 1975-76 and 1976-77, are stated in the enclosed statement.

(b) to (d). The matter is still under investigation by the Central Bureau of Investigation. In view of the magnitude of the work relating to the investigation and the large number of companies and witnesses involved being situated in different places all over the country the investigation could not be completed so far. Further course of action can be decided after the receipt of and examination of the investigation report and the other related matters.

Statement

S. No.	Name of the Company	Amount paid to the Congress Party and its various organs for advertisement	
		(Rs. in thousands)	
		1975-76	1976-77 upto 31-3-1977
1.	M/s. Jeeyajirao Cotton Mills Limited.	156.7	167.8
2.	M/s. Gwalior Rayon Silk Manufacturing Co. Ltd.	206.5	1187.8
3.	M/s. Tata Engineering & Locomotive Co. Ltd.		1700.0
4.	M/s. Tata Iron & Steel Co. Ltd.		1860.0
5.	M/s. Bharat Steel Tubes Ltd. (Ranuq Enterprises.)	360.0	4.5

पूर्वोत्तर रेलवे में चलाई गई नई गाड़ियां

1337. श्री मत्स्यजय प्रसाद : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) अक्टूबर, 78 के अन्तिम सप्ताह में पूर्वोत्तर तथा उत्तर और पूर्व रेलवे में कुछ नई गाड़ियां चलाई गई हैं और पुरानी गाड़ियों की रफ्तार तेज की गई है;

(ख) यदि हां, तो तत्सम्बन्धी व्यौरा क्या है;

(ग) क्या ये नई गाड़ियां चलाये जाने और पहले से चल रही गाड़ियों में, जहां कहीं, समय-सारिणी में फेर बदल किया गया हो उसकी सूचना समाचार-पत्रों में छपी गई थी, यदि हां, तो किन में और किम-किम नारायण के समाचार-पत्रों में और यदि नहीं, तो इसके क्या कारण हैं; और

(घ) क्या हाल में किये गये परिवर्तनों की दिखलाने वाली समय-सारिणी पुस्तिकाएं रेलवे स्टेशनों पर मिल रही हैं; यदि हां, तो कब से और यदि नहीं, तो इन्हें कब तक छपा जायेगा और ये कब से मिलने लगेंगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण) :

(क) से (ग). जी हां, अक्टूबर के अन्तिम सप्ताह में, सप्ताह में दो बार चलने वाली नं० 173/174 हवड़ा-जम्मू तबी हिमगिरी एक्सप्रेस को आरम्भ किया गया और उस सप्ताह में किसी गाड़ी की रफ्तार नहीं बढ़ायी गयी है। इस गाड़ी को आरम्भ करने के समय-साथ हम खंड के मिले जूले आमान में आमान-परिवर्तन के कारण 21-10-78 से सोनपुर-पहले-जाघाट खंड पर गाड़ियों के समय में किया गया परिवर्तन, प्रायः सभी स्थानीय समाचार पत्रों में विधिवत अधिमूचित किया गया था। !

(घ) जी हां। 1-11-1978 से लागू क्षेत्रीय रेलवे समय सारिणियों को अक्टूबर, 1978 के अन्तिम सप्ताह में, सामान्यतया बिना के लिए उपलब्ध कराया गया था।

तेल की खोज का कार्य

1338. श्री राम सेवक हजारी : क्या पेट्रोलियम तथा रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या तेल की खोज करने के कार्य में तेजी लाई जा रही है ;

(ख) यदि हां तो इस बारे में योजना का व्यौरा क्या है; और

(ग) इसे क्रियान्वित करने के लिए क्या कार्य-वाही की जा रही है ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्दन बहुगुणा) : (क) जी हां।

(ख) विभिन्न अध्ययनों और अनुपादित सर्वेक्षणों के माध्यम से सुनिश्चित भूगर्भीय प्राथमिकताओं के अनुसार तेल तथा प्राकृतिक गैस आयोग तटवर्ती तथा अतटवर्ती—दोनों प्रकार के क्षेत्रों में एक समुचित अन्वेषण कार्यक्रम आरम्भ करता रहा है। अगली पंचवर्षीय योजना के लिए, जो कि वर्ष 1978-79 से आरम्भ हो रही है, वर्ष 1978-79 से 1982-83 तक की परिवर्तनशील योजना के लिए तैयार की गई अन्वेषण योजनाओं में भारत के प्रथम तेल वाले दो प्रांतों अर्थात् कश्मीर और असम-अरुणाचल बेसिनों में केवल अन्वेषी प्रयासों की दिशा संबंधी परिकल्पना की गयी है अपितु उन कुछ नए क्षेत्रों में भी अन्वेषी प्रयास का निर्देशन किया गया है जिन्हें तेल वाला प्रत्याशित क्षेत्र समझा जाना है। शक्तिशाली रिगों को प्राप्त करने के साथ विभिन्न बेसिनों में और अधिक गहरे गतिजों का पता लगाने की योजना है। इस प्रकार के सर्वेक्षणों से एक बहुत बड़े क्षेत्र को शामिल करने के लिए विभिन्न चरणों में अनेक भूकम्पीय तथा भूगर्भीय दलों की सहायता से वृद्धि करने का भी प्रस्ताव है। तटवर्ती तथा अतटवर्ती दोनों प्रकार के क्षेत्रों में उपलब्ध तेल भण्डारों की तत्काल एक सूची तैयार करने की योजना है। अतटवर्ती क्षेत्रों में देश के पूर्वी, पश्चिमी—दोनों प्रकार के तटों में संरचनाओं का अगली पंचवर्षीय योजना के दौरान पता लगाने का प्रस्ताव है।

(ग) रिगों की संख्या तथा भूगर्भीय और भू-भौतिकीय क्षेत्र में काम करने वाले दलों की संख्या को बढ़ाया जा रहा है। भूमि पर इस समय संचालित कुल 32 रिगों की संख्या बढ़ा कर वर्ष 1982-83 तक 39 कर दी जायेगी और वर्ष 1982-83 तक अतटवर्ती 4 रिगों को बढ़ाकर कर 5-6 रिग कर दिए जायेंगे। भू-गर्भीय दलों की संख्या में जो कि इस समय 14 हैं में उत्तरोत्तर वृद्धि कर के 18 कर दी जायेगी और इस योजना अवधि के दौरान भू-भौतिकीय दलों को बढ़ा कर 27 से 37 कर दिया जायेगा।

Manufacture of M.G. Diesel Engines

1339. SHRI C. N. VISWANATHAN: Will the Minister of RAILWAYS be pleased to state:

(a) the present position of manufacture of Diesel Engines for the Metre Gauge;

(b) full particulars of scheme, if any, to make more such engines available; and

(c) the number of M.G. Diesel Engines and B.G. Diesel Engines in use in Southern Railway and proposals to increase the fleet?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The Diesel Locomotive Works, Varanasi started manufacture of Metre Gauge Diesel Locomotives from 1968-69. Upto the end of 1977-78 the Diesel Locomotive Works had manufactured 186 Metre Gauge Diesel Locomotives for Indian Railways and 15 for export to Tanzania. The future programme for manufacture of Metre Gauge Diesel Locomotives is as under:—

1978-79	2
1979-80	34
1980-81	35

Further programme of manufacture of Metre Gauge Diesel Locomotives will be as per the requirements of Indian Railways compatible with the availability of funds.

(c) 110 Broad Gauge and 55 Metre Gauge Main Line Diesel Locomotives are operating on the Southern Railway system at present. With further production of Broad Gauge & Metre Gauge Diesel Locomotives in the Diesel Locomotive Works in 1979-80 and beyond, there is expected to be additional injection of about 10-15 Diesel Locomotives per year in the next 2 years. Exact allocation would, however, have to be reviewed at the appropriate time keeping in view the all Railway position.

भटिडा और पानीपत स्थित उर्वरक कारखानों द्वारा उत्पादन

1340. श्री राजेन्द्र कुमार शर्मा : क्या पेट्रो-लियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि ।

(क) भटिडा और पानीपत स्थित उर्वरक कारखानों में उत्पादन कब तक प्रारम्भ हो जायेगी;

(ख) इन उर्वरक कारखानों की वार्षिक उत्पादन क्षमता कितनी होगी;

(ग) क्या इन उर्वरक कारखानों में उत्पादन प्रारम्भ हो जाने के बाद कुल उर्वरक उत्पादन से वर्तमान आवश्यकता पूरी हो जायेगी; और

(घ) यदि नहीं, तो देश के उन स्थानों के नाम क्या हैं जहाँ आगामी वर्ष में ऐसे उर्वरक कारखाने लगाने का सरकार का विचार है ?

पेट्रो-लियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती नन्धन बहुगुणा) : (क) और (ख), भटिडा और पानीपत स्थित ईंधन तेल पर आधारित दोनों संयंत्रों में से प्रत्येक की क्षमता प्रति दिन 900 टन अमोनिया और 1550 टन यूरिया की होगी। पानीपत प्रायोजना द्वारा फरवरी 1979 से और भटिडा प्रायोजना द्वारा अप्रैल 1979 से वाणिज्यिक उत्पादन प्रारम्भ करने की आशा है।

(ग) और (घ), देश में उर्वरक क्षमता का विकास करने की एक बृहद योजना के एक भाग के रूप में इन दो प्रायोजनाओं के अलावा 8 अन्य प्रायोजनाओं का विभिन्न स्तरों पर कार्यान्वयन हो रहा है, ये प्रायोजनाएँ, रामगुण्डम (आन्ध्र प्रदेश) तालचर (उड़ीसा), सिन्दरी (बिहार)—आधुनिकीकरण और सुव्यवस्तीकरण प्रायोजनाएँ, हल्दिया (पश्चिम बंगाल), ट्रावरे (महाराष्ट्र), फूलपुर (उत्तर प्रदेश) और जिला ब्रोच (गुजरात) में स्थित हैं। इन प्रायोजनाओं के पूरा होने पर छठी पंचवर्षीय योजना के अन्तिम वर्ष अर्थात् 1982-83 तक नाइट्रोजन का उत्पादन 41 लाख टन और फास्फेट का उत्पादन 11.25 लाख टन होने का अनुमान है जबकि नाइट्रोजन की अनुमानित मांग 52.50 लाख टन और फास्फेट की मांग 16 लाख टन है। इस अन्तर को पूरा करने और आत्मनिर्भरता प्राप्त करने की दृष्टि से बम्बई/हार्द/दक्षिण बसिन संरचनाओं से प्राप्त गैस पर आधारित चार बड़े आकार के नाइट्रोजन युक्त खाद कारखानों और अमम में आयल इंडिया और ओ.एल.जी.सी. के तेल क्षेत्रों से उपलब्ध गैस पर आधारित एक संयंत्र स्थापित करने का प्रस्ताव है। इसके अलावा मैसूर नागार्जुना फटिलाइजर्स भी आन्ध्र प्रदेश में काकीनाड़ा नामक स्थान पर एक खाद कारखाना लगा रहे हैं। मैसूर इंडियन एक्सप्लोसिव लि० की भी कानपुर स्थित अपनी क्षमता में विस्तार करने के लिए एक आशय पत्र जारी किया गया है।

1974 में हुई रेल हड़ताल में भाग लेने वाले कर्मचारियों की बकाया राशि

1341. श्री राजेन्द्र कुमार शर्मा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) 1974 में हुई रेल हड़ताल में भाग लेने के कारण ऐसे कितने रेल कर्मचारियों को मुआवज़ा दिया गया था जिन्हें वापस सेवा में ले लिया गया है;

(ख) क्या यह सच है कि हड़ताल के दौरान बर्खास्त किये गये कर्मचारियों को उस अवधि की बकाया राशि अभी तक भुगतान नहीं की गई है; और

(ग) यदि हाँ, तो ऐसे कर्मचारियों की संख्या क्या है और उन्हें बकाया राशि कब तक दी जायेगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव शंकर) : (क) 10,157 ।

(ख) और (ग) जिन कर्मचारियों को बर्खास्त कर दिया गया था और इयूटी पर वापस ले लिया गया है उन्हें जारी किये गये आदेशों के अनुसार देब बकाया राशि का भुगतान कर दिया गया है, जो ग्राम तौर पर इयूटी पर वेतन और भत्तों के लगभग आधे के बराबर सहायता भत्ते के रूप में है ।

Criteria for issue of Gas Agency

1342. SHRI AMARSINH V. RATHAWA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any criteria has been fixed for issuing a gas agency in the cities;

(b) if so, the details thereof;

(c) number of gas agencies functioning in Gujarat State;

(d) whether any application is pending with Government for issuing of gas agency;

(e) if so, the details thereof; and

(f) the action taken by Government thereon?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). According to the present policy for award of agencies by public sector oil companies, 25 per cent of all agencies (including cooking gas agencies) are to be awarded to the persons belonging to Scheduled Castes/Scheduled Tribes, 2 per cent to physically handicapped persons and the remaining on commercial considerations, preference being given to genuine consumer co-operative societies and Agro-Industries Corporations. All appointments are to be made after inviting applications by giving advertisements in newspapers in circulation in the area concerned.

As indicated in the statement made in this House on the 15th May, 1978 a decision has been taken about the ceilings upto which the business of a particular distributor should be allowed to continue or to grow. Taking into account different working conditions and cost of operation in different areas, the following ceilings have been prescribed in respect of the number of refills of cylinders that one LPG (cooking gas) distributor would be allowed to handle per month:

Market	Number of refills per month
Bombay .	6,000
Delhi .	4,000
Other places with population over 10 lakhs.	3,500
Cities with population between 2 and 10 lakhs.	3,000
Other places..	2,500

The Co-operative Societies would be exempted from these ceilings.

(c) The Indian Oil Corporation and the Bharat Petroleum Corporation together have 59 distributors of cooking gas in the State of Gujarat. The Hindustan Petroleum Corporation sell cooking gas produced in their refineries through concessionaire, viz. M/s. Kosangas Company in the State of Gujarat. M/s. Kosangas Company have 51 agencies/sub-agencies operating in this state

(d) Since appointments for gas agencies are made by the oil companies, the question of applications pending with Government does not arise.

(e) and (f). Does not arise.

Railway Projects started on Western Railway

1343. SHRI AMARSINH V.
RATHAWA:

SHRI AHMAD M. PATEL:

Will the Minister of RAILWAYS be pleased to state:

(a) the details of railway projects started on Western Railway; and

(b) their progress?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). A statement is attached.

Statement

The Projects on the Western Railway

S. No.	Name of Project	Length in Kms.	Estimated cost	Physical progress
(1)	(2)	(3)	(4)	(5)
1	Conversion of Viramgam-Okha/Porbandar (including Kanalus-Sika and Jamnagar-Bedi) MG to BG	556.97	80.00 crores	45%
2	Construction of BG line from Nadiad to Modasa (including conversion from NG to BG from Nadiad to Kapadvanj and a new line connection from Kapadvanj to Modasa.)	105.14	9.43 crores	0.8%
3	Conversion of Delhi-Sabarmati MG to BG section	929.00	108.00 crores	Approved but work not commenced.
4	Doubling between Nagda and Ramganjmandi	151.94	12.57 crores	10%
	Partial Doubling between Ramganjmandi-Lakheri			
	(a) Gurla-Lakheri	54.94	9.31	45%
	(b) Alnia-Ramganjmandi	49.19	crores	
5	Kota—Mathura Section			
	Mathura—Bayana	75.13	6.73 crores	90.5%
6	Ujjain-Nagda-Ratlam Section			
	(a) Patch Doubling of Ujjain-Nagda including third line at Adoda	19.17	3.88 crores	17.50%
	(b) Doubling of Bridge No. 317 between Nagda 'A' & 'B' cabins.			
	Doubling between Sabarmati-Ghharodi	34.60	3.79	43%
7	Provision of Marshalling yard at			
	(a) Vatava-Geraipur (Phase-I)	..	4.99	49%
	(b) Karachiya	..	2.27 crores	23%

Capacity and Output of Barauni and Sindri Fertilizer Factories

1344. SHRI B. P. MANDAL: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state;

(a) the capacity and output of Barauni and Sindri Fertilizer factories;

(b) whether these concerns are running in deficit and if so, what has

been deficit since the last two years; and

(c) what steps, if any, he proposes to take to stop its deficit performances?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):
(a) Capacity and output of Barauni and Sindri Fertilizer factories during the last two years is as follows:—

(in '000 tonnes)

Name of the Factory	Annual installed capacity	Production	
		1976-77	1977-78

NITROGEN

Barauni (Commercial production commenced from November, 76)	152	14.6	3.2
Sindri	90	35.1	19.6

PHOSPHATE

Sindri	156	Nil	2.0
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(Production under trial runs)

Barauni (There is no phosphate capacity installed in Barauni)

(b) The financial losses suffered by Barauni and Sindri during the last two years are given below :

(Rs. lakhs)

Name of the Factory	Year	
	1976-77	1977-78
Barauni	735	1444
Sindri	1785	2244

(c) Government is keeping a close watch on the performance of these factories and the following steps are being taken to improve the performance of these plants,

Barauni:

(i) Defective equipment is being modified/replaced.

(ii) Installation of a captive power plant is under consideration.

Sindri:

(i) A Rationalisation Scheme has been taken up to relieve the unit of its present dependance on natural gypsum.

(ii) A Modernisation Scheme is under implementation to replace the existing process for production of ammonia by a process which will use fuel-oil as feed stock.

Imposition of Surcharge on Halt Station

1345. SHRI D. N. TIWARY: Will the Minister for RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 1317 on 25th July, 1978 regarding Financial results of Sher Halt and state:

(a) whether the information has been collected;

(b) if so, the details thereof;

(c) whether any decision has been taken on the discontinuance of surcharge on some of the Halt Stations;

(d) whether the surcharge levied on Halt Stations has been withdrawn; and

(e) if not, the justification of imposing surcharge on some halt stations and not levying of surcharge on most of the halt stations?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS. (SHRI SHEO NARAIN): (a) to (e). Yes. A copy of the Implementation Report giving all relevant details is laid on the Table of the House. [Placed in Library. See No. LT-2892/78].

Railway Projects in Maharashtra

1346. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that the progress of work on various projects such as conversion of meter gauge into broad-gauge and laying of new lines, survey/investigation for opening of new lines, etc. are lagging behind the scheduled in Maharashtra;

(b) if so, furnish project-wise details of targets and achievement in terms of utilisation of funds and physical achievements;

(c) whether Government have reviewed the progress of works sanctioned in Maharashtra with a view to identifying various constraints and details of the review made; and

(d) whether it is a fact that the Government of Maharashtra have offered land free of cost for opening of new lines and conversion of existing Meter Gauge into broad gauge lines; and details thereof, and the action taken to expedite the progress of works?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS. (SHRI SHEO NARAIN): (a) to (c):

The following schemes for construction of new railway lines and conversion project in Maharashtra are in progress :

Name of the line	Length in kms.	Cost Rs. in crores.	Outlay for 1978-79 in crores	Percentage of work done upto Sep. '78	Date of commencement	Date of completion	Remarks
1. New B. G. line from Diva to Bassein Road.	42.00	23.48	3.00	47.73	April '72	March '80	—
2. New B. G. line from Wani to Chanaka.	75.70	9.57	0.10	17.11	April '74	Not yet fixed.	*
					*The cement factory which the line was proposed to serve has not materialised.		
3. New B. G. line from Apta to Roha.	62.00	9.00	1.00	..	May '78	March '81	—
4. Conversion of Manmad-Parbhani-Purli-Vaijnath MG line to BG.	354.00	29.74	0.25	..	—	—	@
					@The Aurangabad-Manmad phase of the conversion project has been started in Nov. 78 and this phase will be completed in three years.		

(1) The Government of Maharashtra has agreed to give land free of cost for Apta-Roha line.

Memorandum from Murtizapur Taluka Pravasi Seva, Samiti, Murtizapur

(c) These demands are being examined. Action as feasible and justified will be taken in due course.

1347. SHRI VASANT SATHE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received a Memorandum from Murtizapur Taluka Pravasi Seva Samiti, Murtizapur, Central Railway;

(b) if so, furnish details thereof; and

(c) details of action taken/proposed on various proposals made therein?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes.

(b) Main demands raised in the memorandum are given in the attached statement.

Statement

Main demands raised in the memorandum given by Murtajapur Taluka Pravasi Seva Samiti, Murtajapur.

1. Increase in reserved quota by Mail/Express trains for Murtajapur.

2. Re-introduction of Achalpur-Murtajapur passenger train.

3. Provision of cover over platform at Murtajapur Town station.

4. Running of special train on Achalpur-Murtajapur Yavatmal section.

5. Conversion of Achalpur Murtajapur-Yavatmal Narrow Gauge into Metre Gauge and Broad Gauge and its extension upto Wani-Chanaka and Nagpur-Itarsi route.

6. Local trains between Amravati and Shegaon.

7. Provision of more Passenger trains for darshan of Shegaon's Gajanan Baba.

8. Posting of an Enquiry Clerk at Murtajapur.

9. Change in the 400 Up passenger train timings.

10. Extension of Murtajapur Railway platform.

11. Provision of public address system at Murtajapur.

Introduction of New Trains

1348. SHRI SHANKERSINHJI VAGHELA: Will the Minister of RAILWAYS be pleased to state:

(a) the particulars of new trains introduced, from 1st November, 1978;

(b) the particulars of trains the runs of which extended from 1st November, 1978;

(c) the particulars of trains which have been speeded up from 1st November, 1978; and

(d) the future programme in respect of above (a), (b) and (c)?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) A total of 9 non-suburban trains—7 on the BG including 2 biweekly Express trains and 2 passenger trains on the MG and 20 suburban trains in Calcutta area have been scheduled for introduction in the November, 1978 Time Table.

(b) A total of 12 non-suburban trains—6 each on BG and MG and 7 suburban trains in Calcutta area have been scheduled for extension in this time table.

(c) A total of 85 trains including 26 Mail/Express trains have been speeded up by 15 minutes and more.

(d) Jammu Tawi-New Delhi Sri-nagar Express is being extended to/ from Pune shortly. Introduction/extension/speeding up of trains is a

continuous process and will be duly considered in the next revision of time tables.

मुनाफाखोरों और औषधियों में मिलावट को रोकने के उपाय

1349. श्री हरी शंकर महाले : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि क्या सरकार ने मुनाफाखोरों और औषधियों में मिलावट को रोकने के लिये कार्यवाही की है और यदि हां तो इस का व्योरा दर्शाने वाला एक विवरण सभा पटल पर रखा जाये ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमवती लखन बहुगुणा) : औषधों के मूल्य कानूनी रूप से औषध (मूल्य नियंत्रण) आदेश 1970 के अन्तर्गत नियंत्रित किए जाते हैं, जिसमें अन्य बातों के साथ-साथ यह व्यवस्था की गई है कि कोई भी फुटकर विक्रेता किसी फार्मूलेशन को सरकार द्वारा पाम किए गए फुटकर मूल्य से अधिक मूल्य पर उपभोक्ता को नहीं बेचेगा। इससे यह सुनिश्चित होता है कि निर्माताओं द्वारा लिया जाने वाला लाभ सीमित रहेगा। औषध मूल्य नियंत्रण आदेश में नियतमूल्यों की वैकल्पिक योजना में यह भी व्यवस्था की गई है कि यदि किसी वर्ष विशेष के लिए कर में पूर्व वास्तविक कुल लाभ, जैसा कि निर्माता अथवा आयातकर्ता के लेखा परीक्षित खाते में दिखाया गया हो, वर्ष की कुल विधी के 15 प्रतिशत से अधिक हो और उसे लेखा परीक्षक द्वारा प्रमाणित किया गया हो, तो उस अधिक लाभ को अलग खाते में रखा जाएगा और उसे लाभान के विवरण में प्रयोग नहीं किया जाएगा, लेकिन उस अधिक लाभ को सरकार को पूर्व अनुमति के नीचे दिए गए किसी भी प्रयोजन के लिए प्रयोग में लाया जा सकता है—

(क) अनुसंधान और विकास खर्च के लिए

(ख) भावी लाभ और हानि का समायोजन करने के लिए।

(ग) अन्य ऐसे कार्यों के लिए जिनका केंद्रीय सरकार समय-समय पर निर्धारित करे।

29 मार्च, 1978 को लोक सभा के पटल पर प्रस्तुत किए गए विवरण-पत्र के एक भाग के रूप में नई मूल्य निर्धारण नीति में 8 से 13 प्रतिशत तक अधिकतम लाभ की सीमा की परिकल्पना की गई है • जैसा कि उक्त विवरण-पत्र के पैरा 54 में बताया गया है।

जहां तक मिलावट और नकली औषधों के निर्माण की जांच करने का प्रश्न है, यह उल्लेखनीय है कि औषध और सोन्दर्य प्रसाधन अधिनियम, 1940 और उसके अन्तर्गत बनाए गए नियमों के प्रावधानों

के अन्तर्गत औषधों के निर्माण और बिक्री पर राज्य औषध नियंत्रण प्राधिकरण द्वारा नियंत्रण रखा जाता है। नकली औषधों को अधिनियम में दिए गए गलत ब्राण्ड वाले औषधों की परिभाषा के अन्तर्गत रखा गया है। गलत ब्राण्ड (नकली औषधों अथवा मिलावटी औषधों का निर्माण) बिना अधिनियम के अन्तर्गत एक अपराध है।

इस अपराध के लिए कम से कम एक वर्ष तक की सजा है, जिसका जुर्माने के अलावा 10 वर्ष तक बढ़ाया जा सकता है, जब किसी व्यक्ति को नकली अथवा मिलावटी औषधें बेचते हुए अथवा निर्माण करते हुए पकड़ा जाता है तो उसके खिलाफ सम्बन्धित प्राधिकारी द्वारा अदालत में मुकदमा चलाया जाता है। नकली औषधों के निर्माण और बिक्री को रोकने के लिए किए गए उपायों अथवा किए जाने वाले प्रस्तावित उपायों को दर्शाने वाला एक विवरण पत्र संलग्न है।

विवरण

नकली और मिलावटी औषधों के निर्माण और बिक्री को रोकने के लिए किए गए अथवा किए जाने वाले प्रस्ताव

1. जिन औषधों का निर्माण और बिक्री ग्राम-तौर पर नकली औषधों के निर्माण और बिक्री में शामिल होता है, उनके अनधिकृत निर्माण को समाप्त करने के लिए एक अखिल भारतीय लाइसेंसिंगदा औषध निर्माताओं की सूची तैयार करके उसे अश्वतन बना लिया गया है। इन सूची का सभी राज्य औषध नियंत्रकों और औषध निर्माताओं और डॉक्टरों के प्रमुख संघों में भी परिचित कर दिया गया है।

2. जब कभी केन्द्रीय औषध मानक नियंत्रण संगठन द्वारा नकली औषध प्राप्त किए जाते हैं और जब यह धन्धा अन्तर राज्य स्तर का हो तो संबंधित राज्यों को भी सूचित कर दिया जाता है और उन्हें यह गलाह दी जाती है कि वे नकली औषध के निर्माण और वितरण के स्रोत का पता लगाएं।

3. राज्य औषध नियंत्रण प्राधिकारियों को यह मलाह दी जाती है कि वे पुलिस अधिकारियों के साथ निकट संबंध बनाएं रखें ताकि नकली औषधों के खिलाफ गहन अभियान चलाया जा सके।

4. राज्यों को मलाह दी गई है कि वे औषध नियंत्रण संगठन की प्रशिक्षण को मंत्रिय रखें जिसमें अन्य बातों के साथ-साथ नकली औषधों की समस्याओं से निपटने के लिए कानूनी-वैद्य-आसुचना सैल स्थापित करने की आवश्यकता भी शामिल है और उससे यह अनुरोध किया गया है कि वे अपने संगठनों को सुव्यवस्थित करें।

5. राज्यों ने अपने औषध निरीक्षकों को कहा है कि वे नकली औषधों के अभियान के बारे में सतर्क रहें और औषधों के बार-बार नमूने लेते रहें।

6. केन्द्रीय सरकार के पास केन्द्रीय औषध प्रयोगशाला, कलकत्ता, केन्द्रीय इंडियन फार्माकोपिया प्रयोगशाला, गाजियाबाद और केन्द्रीय अनुसंधान संस्थान में उपलब्ध परीक्षण सुविधाओं को राज्यों को सौंपा गया है और उनका प्रयोग इस समय 21 राज्यों और केन्द्र शासित क्षेत्रों द्वारा किया जा रहा है। इन सुविधाओं को और बढ़ाया जा रहा है ताकि अधिक नमूनों का परीक्षण किया जा सके।

7. राज्यों को केन्द्र द्वारा बताई गई योजनाओं के अन्तर्गत अपनी परीक्षण सुविधाओं में वृद्धि करने के लिए वित्तीय सहायता दी जा रही है। इस योजना के अन्तर्गत 8 राज्यों को संयुक्त रूप से खाद्य और औषध प्रयोगशालाओं की स्थापना करने के लिए, 3 राज्यों को खाद्य और औषधों जैसा भी मामला हो, का परीक्षण करने के लिए एक बिग की स्थापना करने के लिए और 12 राज्यों को नाजुक परीक्षण उपकरणों की खरीद के लिए सहायता दी जा रही है।

8. केन्द्रीय और राज्य संगठनों के बीच निकट सम्पर्क स्थापित रखने और ससंपूर्ण देश में अधिनियम को समान रूप में लागू करने के लिए बम्बई, कलकत्ता, मद्रास और गाजियाबाद में केन्द्रीय औषध मानक नियंत्रण संगठनों के चार क्षेत्रीय कार्यालय स्थापित किए गए हैं। इन क्षेत्रीय कार्यालयों के साथ औषध निरीक्षक भी सम्बद्ध हैं और ये निरीक्षक राज्य प्राधिकारियों के साथ संयुक्त निरीक्षण करते हैं ताकि लाइसेंसों का कानून के अनुसार निर्धारित मानकों के अनुरूप बनाया जा सके।

9. केन्द्रीय औषध नियंत्रण संगठन द्वारा औषध निरीक्षकों के लिए नियमित रूप से प्रशिक्षण कार्यक्रम आयोजित किए जाते हैं, यह एक चालू कार्यक्रम है और राज्य सरकारें इस सुविधा का लाभ उठा रही हैं।

10. औषध पत्र मॉडर्न प्रसाधन अधिनियम के अन्तर्गत मिलावटी औषधों के निर्माण के लिए कम से कम एक वर्ष की सजा रखी गई है जो 10 वर्ष तक भी बढ़ाई जा सकती है। तथापि न्यायालय को यह अधिकार है कि वे निर्धारित सजा से भी कम सजा दे सकता है। ऐसे औषधों के निर्माण तथा उनके यानायात में लगे हुए उपकरणों को भी जप्त किया जा सकता है। तथापि अब यह प्रस्ताव है कि अधिनियम में और संशोधन किया जाए ताकि नकली औषधों का निर्माण करने के लिए कड़ी सजा रखी जा सके। न्यायालय को दिया गया विवेकाधिकार समाप्त करने का प्रस्ताव है। औषध निरीक्षकों के अधिकारों को बढ़ाने का भी प्रस्ताव है। इस उद्देश्य से संशोधन विधेयक का प्रारूप तैयार कर लिया गया है।

Conversion of Ahmedabad to Okha M.G.

1350. SHRI AHMED M. PATEL:
Will the Minister of RAILWAYS be pleased to state:

(a) what is the progress made to

convert meter gauge line into broad gauge from Ahmedabad to Okha; and

(b) the target date fixed for its completion?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). Ahmedabad is already connected with Viramgam by a broad gauge railway line. Gauge conversion of Viramgam-Okha/Porbandar MG line into BG is an approved work. There has been some delay in completion of the project in the past on account of constraint of resources. High priority has now been given to this gauge conversion project and funds to the extent of Rs. 7.93 crores have been allotted for it during the current year against only Rs. 5.50 crores in 1977-78. The upto-date progress is 45 per cent. It has been decided to complete the first phase of the project from Viramgam to Kanalus (288 Kms.) by 1980. The entire project is scheduled to be completed by 1982.

Filling up of Vacancies in South Eastern Railway during 1977

1351. SHRI D. AMAT: Will the Minister of RAILWAYS be pleased to state:

(a) the number of vacancies filled during 1977 by promotion and direct recruitment in each class category and grade in South Eastern Railways including all workshops and construction projects; and

(b) how many of these vacancies were filled by appointments/promotions of candidates belonging to Scheduled Castes and Scheduled Tribes?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b).

(i) The vacancies filled by direct recruitment were as under:—

Class	Total	SC	ST
I . . .	38	4	3
II . . .	..	..	..
III . . .	510	121	122
IV . . .	1592	406	130

(ii) The vacancies filled by promotion were as under :

Class	Total	SC	ST
I . . .	35	5	1
II . . .	71	8	5
III . . .	2316	419	152
IV . . .	562	90	44

Issue of Industrial Licences to Foreign Drug Firms

1352. SHRI D. AMAT: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) the details of industrial licences granted to 100 per cent foreign drug firms operating in India during

the last three years and the details of the capital goods allowed for import by these companies during the same period;

(b) whether any firm gave an understanding or agreed at the time of securing licence for capital goods to associate Indian capital; and

(c) if so, whether any breach of this undertaking has taken place, if so, details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) M/s. Abbott Laboratories and M/s. Burroughs Wellcome are the only two 100 per cent foreign companies who have been granted Industrial Licences during the last 3 years for the manufacture of drug items. Details of these licences are as follows:

Sl. No.	Name of the Co.	No. & Date of Ind. Licence	Item of manufacture	Annual capacity	Import of C.G. if any
1	2	3	4	5	6
1.	Abbott Labs.	CIL/179/76 dated 7-5-76	(1) Gibberellic Acid (2) Erythromycin (3) Triopentine Sod.	565 lgs. p.a. 4000 „ 1000 „	For import any C.G.
2.	Burroughs Wellcome	CIL: 448 (76) dated 18-12-76	Pseudo Ephedrine Hcl	2 Tnnes	Do.

(b) No, Sir.

However, the proposal of M/s. Abbott to enter into foreign collaboration with M/s. Abbott Labs., North Chicago, USA for the manufacture of Erythromycin etc. was approved by the Government subject to the condition, inter-alia, that the Indian Company reduce their foreign equity holding to 60 per cent within a period of 3 years from the date of their obtaining an Industrial Licence.

(c) No, Sir. The Company have stated their inability to implement the licence, which is being cancelled. However, under F.E.R.A. 1973, Reserve Bank of India have now directed the company to reduce the foreign equity to 40 per cent, to which the company has agreed.

Representation from A-1 Railway S.C. and S.T.

1353. SHRI D. AMAT: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have received any representation from the All India Railway Scheduled Castes/

Scheduled Tribes Employees' Association in May, 1978 for recognition of the Association;

(b) whether Government have taken any decision in the matter; and

(c) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) Yes, one of the points represented was about the recognition of this Association.

(b) and (c). In accordance with the policy and procedure of the Government of India, no Association formed on the basis of any Caste, Tribe and religious denomination or any group or section of such Caste, Tribe or religious denomination can be granted recognition.

Technology used by Foreign Drug Companies

1354. SHRI C. K. CHANDRAPPA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any steps have been taken to establish the extent of high technology used by the foreign drug companies; and

(b) if so, the details thereof?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). Government have appointed a High Level Committee for the purpose of identifying foreign companies engaged in the manufacture of bulk drugs not involving high technology. A Proforma, drawn up by the Committee for eliciting information/data on technology and other issues relevant to the exercise needed for such identification, has already been sent to the concerned foreign companies. Except for 5 Companies, who have been reminded, all the remaining have furnished the information. The information/data received so far will be processed for consideration by the Committee.

Production of Chemical Fertilizers

1355. **SHRI C. K. CHANDRAPPA:** Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that the production of chemical fertilizers has not reached the target due to the lower capacity utilization of some of fertilizer units;

(b) if so, what is the total production of each unit during the year so far, and percentage of capacity utilization;

(c) what are the reasons for the lower performance; and

(d) what efforts are being made to improve the performance and also to meet shortage?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) and (b). A statement giving the annual installed capacity, production and capacity utilisation in terms of Nitrogen and P₂O₅ during the period April, 1978—October, 1978 is laid on

the Table of the House. [Placed in Library. See No. LT-2893/78].

(c) A variety of factors like power problems, equipment failure/break-downs, shut-down of plants for extensive modification jobs, inadequate availability of inputs, etc. have accounted for production shortfalls and lower capacity utilisation in a number of units.

(d) The production performance of the units is being monitored by the Government on a continuous basis and various measures such as renovation, debottlenecking, replacements and renewals, installation of captive power generation facilities and changeover in feedstock, etc. are being taken in a number of plants with a view to improving their operational efficiency.

The production of fertilizers presently falls short of the requirements and the gap is met by imports for which adequate arrangements have been made.

Concerns belonging to Birlas

1356. **SHRI MUKHTIAR SINGH MALIK:** Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of concerns which belong to Birlas in the country;

(b) the number of shares together with their value held by persons belonging to this family in each company; and

(c) the details of shares held by each person including minors with their value?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) 72 companies have been registered under Section 26 of the Monopolies and Restrictive Trade Practices Act, 1969 belonging to the Birla Group. In addition, 61 companies are

registerable and are under default notice. A list of these companies is furnished in Annexures 1 and 2. [Placed in Library. See No. LT-2894/78].

(b) and (c). Information about the shareholdings of the persons belonging to Birla family in these companies in respect of equity shares held as on 1-2-1975 is given in Annexure 3. [Placed in Library. See No. LT-2894/78].

जयपुर-टोडारायसिंह यात्री गाड़ी

1357. श्री राम कंवार बेरवा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या जयपुर-टोडारायसिंह यात्री गाड़ी को घटाने गन्तव्य स्थान पर पहुँचने में 6 घण्टे का समय लगता है;

(ख) क्या रेलवे को घाटा होने का यही मुख्य कारण है;

(ग) क्या यहाँ के निवासियों और अन्य संगठनों ने मांग की है कि इस गाड़ी की गति तेज की जानी चाहिए; और

(घ) यदि हाँ, तो सरकार इस सम्बन्ध में कब तक निर्णय कर लेगी ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):
(क) से (ग). जयपुर और टोडारायसिंह के बीच दो जोड़ी यात्री गाड़ियों, अर्थात् 253/254 और 255/256, का यात्रा समय 4 घंटा 50 मिनट और 5 घंटा 55 मिनट के बीच बनता है। रेल पटरी की कमजोर हालत के कारण इन गाड़ियों की गति में वृद्धि करना उचित नहीं है। इन गाड़ियों से कम व्यय-साय होने और सांगानेर-टोडारायसिंह खण्ड के कम बचत वाली शाखा लाईन होने के कारण को दृष्टि में रखते हुए इस रेल पटरी को मजबूत बनाने का काम भी उचित नहीं समझा जाता।

टोडारायसिंह से जयपुर के लिये यात्री गाड़ी के प्रस्थान का समय

1358. श्री राम कंवार बेरवा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि टोडारायसिंह से जयपुर जाने वाली यात्री गाड़ी का समय प्रातः 03.00 बजे का है और इसके कारण गाड़ी में कम यात्री यात्रा करते हैं;

(ख) क्या टोडारायसिंह के निवासियों तथा अन्य संगठनों ने और इस क्षेत्र के संसद सदस्य ने इस गाड़ी का समय प्रातः 4.30 बजे या 5.00 बजे का रेलवे से अनुरोध किया है; और

(ग) यदि हाँ, तो सरकार द्वारा इस बारे में कब तक निर्णय किया जायेगा ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):

(क) टोडारायसिंह से 253 अप टोडारायसिंह-जयपुर यात्री गाड़ी के प्रस्थान का समय प्रातः 4 बजे है।

(ख) जी हाँ।

(ग) 253 अप को टोडारायसिंह से लगभग एक घंटा बाद में रवाना करना, जयपुर में प्रातः काल के समय महत्वपूर्ण मेल/एक्सप्रेस गाड़ियों के एकत्रित हो जाने के कारण इस गाड़ी को ठहराने के लिए प्लेटफार्म के उपलब्ध न होने के कारण, परिचालन की दृष्टि से व्यावहारिक नहीं है। इसके अतिरिक्त, 253 अप के जयपुर में देरी से पहुँचने से लाहौर और आगरा किला के लिए जयपुर से चलने वाली अन्य गाड़ियों के साथ मेल का विच्छेद हो जायेगा।

जयपुर-टोडारायसिंह लाइन

1359. श्री राम कंवार बेरवा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) जयपुर-टोडारायसिंह रेलवे लाइन किस वर्ष में बनी थी;

(ख) उपरोक्त रेलवे लाइन पर बनाये गये स्टेशनों पर कुल कितना खर्च हुआ था;

(ग) कितने स्टेशनों से स्टाफ हटा लिया गया है और कितनों पर काम कर रहा है;

(घ) क्या जिन स्टेशनों से स्टाफ हटा लिया गया है उनको हाजिरी रही है और यदि हाँ, तो कितनी; और

(ङ) इस सम्बन्ध में सरकार का कौन से कदम उठाने का विचार है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):

(क) जयपुर-टोडारायसिंह लाइन नीचे दिये गये विवरणों के अनुसार चरणबद्ध रूप में बिछायी गयी एवं

यातायात के लिए खोली गयी थी :

खण्ड का नाम	खुलने का वर्ष
जयपुर-सांगानेर जं० (12 कि०मी०)	सितम्बर, 1943
सांगानेर जं०-फागी (35 कि०मी०)	जनवरी, 1950
फागी-डिग्गी (25 कि०मी०)	अप्रैल, 1950
डिग्गी-टोरडी सागर (21 कि०मी०)	मई, 1953
टोरडी सागर-टोडा राय सिंह (24 कि०मी०)	मार्च, 1954

(ख) लगभग 1.45 करोड़ रुपये ।

(ग) पांच स्टेशनों से कर्मचारी हटा लिये गये हैं और छः स्टेशनों पर कर्मचारी काम कर रहे हैं ।

(घ) और (ङ). चूंकि स्टेशन बन्द कर दिए गये हैं, इसलिए उन पर हानि का प्रश्न ही नहीं उठता ।

बेरोजगार व्यक्तियों को उर्वरक डीलरशिप का प्रावधान

1360. श्री बी० जी० हांडे : क्या पैट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या भारतीय उर्वरक निगम ने 45 वर्ष से कम आयु के बेरोजगार और अर्द्धरोजगार वाले व्यक्तियों को उर्वरक डीलरशिप देने की मफारिश की है;

(ख) क्या सरकार नासिक जिले तथा महाराष्ट्र के अन्य स्थानों के लोगों को ऐसी सहायता देने के लिए निगम को निदेश देगी; और

(ग) यदि हां, तो महाराष्ट्र के प्रत्येक जिले में इस सहायता का व्यौरा क्या है और यह कार्य कब तक किया जाएगा ?

पैट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमचन्द्र मन्मथ बहुगुणा) : (क) से (ग). फटिलाइजर कारपोरेशन आफ इंडिया पहले से ही बेरोजगार स्नातकों को फटिलाइजर डीलरशिप देने की एक योजना चला रही है । यह योजना केवल 30 वर्ष से कम आयु वाले उम्मीदवारों के लिए है । इसके अलावा उन्होंने हाल ही में सभी भावी डीलरशिप का कम से कम 25 प्रतिशत अनुसूचित जाति/अनुसूचित जनजाति को देने की योजना भी चलाई है । इस योजना के अन्तर्गत केवल वे ही उम्मीदवार पात्र होंगे जो बेरोजगार हैं और 45 वर्ष से कम

आय के हों । राष्ट्रीय कौमिकल एण्ड फटिलाइजर्स ने भी इसी प्रकार की योजनाएं चला रखी हैं और वे इन योजनाओं को अपने क्षेत्रों में लागू कर रहे हैं जिनमें महाराष्ट्र के नासिक और अन्य जिले शामिल हैं । ग्रार०सी०एफ० इन श्रेणियों के डीलरों को बैंक से ऋण दिलाने तथा अन्य मामलों में सहायता देती है ।

Work in Laxmikantapur Well in West Bengal

1361. SHRI SAMAR MUKHERJEE: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Laxmikantapur Well No. 1 in 24 Parganas in West Bengal has been kept in abeyance without assigning any reason; and

(b) if so, whether even Central Government Auditors were not provided with the reasons of said action of Oil and Natural Gas Commission in spite of their several requests?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA):

(a) No, Sir, Drilling of the location at Laxmikantapur in West Bengal has been kept in abeyance by the ONGC till the results of the drilling on the Diamond Harbour location, presently in progress, are known for a proper re-evaluation of the prospects of undertaking drilling on Laxmikantapur.

(b) No, Sir. The reasons were communicated to the Government Audit in December, 1977 by the ONGC, and no further questions have been raised in this regard.

Body Guards to GM

1362. SHRI DAYA RAM SHAKYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether body guards have been sanctioned to the General Managers of Zonal Railways;

(b) if not, the reasons for the use of plain cloth Sub-Inspectors etc. as

body guards by the General Managers of the N.E. Railway, the period from which such body guards are used with the total expense spent on them till date; and

(c) the steps taken to stop such practice and also realise the public money spent till date?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) No.

(b) and (c) Due to prevailing law and order position on the North Eastern Railway after May, 1974, one Sub-Inspector has been accompanying the General Manager. This Sub-Inspector, while accompanying the General Manager, also coordinates with civil authorities, if need be. No expenditure has been incurred on Body Guards and therefore, the question of any recovery does not arise.

Alleged Misappropriation of huge sum

1363. **SHRI DAYA RAM SHAKYA:** Will the Minister of RAILWAYS be pleased to state:

(a) is it a fact that in the broad gauge construction organisation of the N.E. Railway a huge sum has been misappropriated by false payment to casual labour;

(b) is it also a fact that the Railways Finger print experts detected the same and stopped payment in a particular month;

(c) the total amount misappropriated, the total months in which the false payment was done with the action taken to punish the guilty officers and reward the staff detecting the loss; and

(d) how the loss was made good?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (d). It is not a fact that in the Broad Gauge

Construction Organisation on the N.E. Railway, a huge sum was misappropriated by making false payment to labour. However, one case of two casual labourers having been paid twice, involving a sum of Rs. 213/- in a total labour strength of about 15,000 workers at the relevant time, was detected by the Finger Print Examiner of the N. E. Railway during April 1975. The amount was subsequently recovered and deposited with the Railway. The mates who identified the said labourers were held responsible and discharged from the service.

Withdrawal of Loyal Increment

1364. **SHRI DAYA RAM SHAKYA:** Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway Minister is going to eliminate the discrimination of Loyal and Disloyal and loyal increment which had been given by the previous Government;

(b) whether the loyal increment will be withdrawn; and

(c) what step the administration is taking to give relief to strikers of 1974 losers of increment and non-appointment of their wards?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). With a view to rewarding the workers who did not participate in the May '74 strike, it was decided by the then Government that such workers should be given, subject to certain conditions, one of the benefits i.e. advance increment, cash award, hard duty allowance, extension/re-employment in service and consideration for appointment of the sons/daughters.

There have been repeated representations that:—

(i) an advance increment should be given to the strikers also or the

increment given to loyal employees should be withdrawn so that the disparity created in wages may be wiped out; and

(ii) The appointments of wards of loyal staff should be cancelled.

As for the issue at (i) above, it is not feasible to remove the disparity in wages created by the grant of advance increments.

As regards item (ii), appointments already made within the quota prescribed for the purpose, cannot be cancelled as the individuals have got them in good faith in accordance with the orders then obtaining.

Murders and Dacoities in Trains

1365. SHRI UGRASEN;

SHRI JANARDHANA POOJARY;

Will the Minister of RAILWAYS be pleased to state:

(a) the number of murders, dacoities and robberies taken place in running trains since the beginning of the current year; and

(b) what special steps are proposed for the safety of the passengers and the belongings?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) As per information collected from State Police Authorities, 31 murders, 56 dacoities and 133 robberies took place in the running trains during the first 10 months of the current year.

(b) (1) The responsibility of ensuring the safety of passengers and the security of their belongings rests with the Government Railway Police which functions under the administrative and disciplinary control of the State Governments.

2. The GRP, have intensified the preventive measures adopted by them.

3. The Minister of Railways had drawn the attention of the Chief Ministers of the Concerned States requesting them to take firm measures to curb crimes in running trains. The response from the Chief Ministers has been encouraging.

4. The problem of crimes affecting passengers security and safety of their belongings was discussed in the recent conference of the Chief Ministers.

5. Though the Railway Protection Force is concerned with the protection of goods entrusted to Railways for carriage and railway materials, in order to instil confidence among the travelling public and deter criminals from operating on trains over 2000 armed RPF personnel have been deployed for escorting trains on vulnerable sections all over Indian Railways.

6. The Zonal Railways launched a drive to ensure strict adherence to instructions about locking of vestibuled doors between 22.00 hrs. and 06.00 hrs. Besides, travelling Ticket Examiners and Coach Attendants remain vigilant during night time and prevent entry of intruders, hawkers and unauthorised persons into the coaches.

7. Police personnel escort important trains running on vulnerable sections.

8. The Security of trains is constantly reviewed through coordination meeting between the GRP and the RPF at various levels.

9. In the wake of robberies and dacoities in North-South-bound trains, on 16/6/78 a high level meeting was held between the officers of the Ministries of Railways and Home Affairs in which certain firm decisions such as prompt channel of communication with the police escort in the centre of the train, provision of powerful torch lights with guards and brakemen and close liaison with the States affected for stepping up police protection were taken.

Production of Crude Oil by Oil India

1366. SHRI SHYAM SUNDER GUPTA: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the total production of crude oil by Oil India Ltd. during the period 1st April, 1978 to 31st October, 1978;

(b) what was the production of crude oil during the last three preceding years, year-wise; and

(c) whether Government propose to chalk out any new plan to increase the production of crude oil and if so, the details thereof?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. MAHUGUNA): (a) 1.515 Million tonnes.

(b) The total production of crude oil during the last three years was as under:

	(Million Tonnes)
1975-76	8.43
1976-77	8.90
1977-78	10.76

(c) Efforts to find additional sources of Oil, both onshore and offshore, are being stepped up.

Construction of Railway Lines in the Country

1367. SHRI SHYAM SUNDER GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether any new policy has been finalised by Government for the construction of railway lines in the country; and

(b) if so, the details thereof?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). A National Transport Policy Committee for formulation of overall transport policy for the country including the Railways has been appointed by the Planning Commission. It will be possible for the Government to finalise its policy after the report of the Committee becomes available.

New Bongaigaon to Gauhati Broad Gauge Line

1368. SHRI SHYAM SUNDER GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether there has been slow progress in construction of the broad gauge line from New Bongaigaon to Gauhati;

(b) if so, the reasons therefor; and

(c) the time by which the line is expected to be completed and put into operation?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) and (b). The progress on the project had been slow in the previous years on account of shortage of funds.

(c) The project is expected to be completed by 1981.

Management of Narula Udyog (India) Private Limited

1369. SHRI KACHRULAL HEMRAJ JAIN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of Chairman, Managing Director and other Directors of the Narula Udyog (India) Private Limited, Naraina, New Delhi;

(b) whether any instances have come to the notice of the Government where they have violated the com-

pany law provisions; if so, the details thereof and the action taken against them; and

(c) the steps proposed to be taken

to ensure compliance of company law provisions by this company?

THE MINISTER OF EDUCATION,
SOCIAL WELFARE AND CULTURE
(DR. PRATAP CHANDER CHUN-

(a) The following are the names of Chairman, Managing Director and other Directors of the company as per the latest available information:—

- | | | |
|---------------------------------|-----------|--------------------|
| (i) Shri Raj Kumar Narula | | Chairman |
| (ii) Shri Prem Kumar Narula | | Vice-Chairman |
| (iii) Shri Subhash Kumar Narula | | Managing Director |
| (iv) Shri Bharat Bhushan Narula | | Executive Director |

(b) The following Statement gives the details of violations of provisions of the Companies Act and action taken thereon.

Nature of document	Section of the Act involved.	Default	Action taken
(i) Balance Sheet as at 30-6-75	210(3)	First Balance Sheet as at 30-6-75 was adopted in the Annual General Meeting late by 2 months 6 days.	The default being first was condoned.
(ii) Return of allotment made on 28-4-75.	75	Filed late by 3 months & 9 days.	Additional fee of Rs. 60/- was levied u/s 611(2) and paid by the company.
(iii) Return of allotment made on 29-1-75.	75	Filed late by 2 years 5 months & 11 days.	Additional fee of Rs. 240/- was levied U/s 611(2) and paid by the company.
(iv) Return of Allotment made on 31-7-75.	75	Filed late by 4 days.	The delay was considered being marginal.
(v) Return of Allotment made on 12-9-75.	75	Filed late by 3 days.	Do.
(vi) Balance Sheet as at 30-6-75	[220	Filed late by one month.	Additional fee of Rs. 60/- was levied u/s 611(2) and paid by the Company.
(vii) Annual Return made up 30-12-76.	159	Filed late by 25 days.	Do.
(viii) Balance Sheet as at 30-6-76	220	Filed late by one month 25 days.	Additional fee of Rs. 120/- was levied u/s 611(2) & paid by the company.
(ix) Special Resolution passed on 30-12-76.	192	Filed late by 4 months and 9 days	Do.
(x) Balance Sheet as at 30-6-77	220	Filed late by 1 month.	Additional fee of Rs. 60/- was levied u/s 611(2) & paid by the company.
(xi) Special Resolution passed on 27-2-78.	192	Filed late by 22 days	The delay was condoned considering the reply furnished by the company.

(c) No further action is contemplated apart from what is stated with reference to Part (b) of the Question.

Management of M/s. International Meditek Private Limited

1370. SHRI KACHARULAL HEM-RAJ JAIN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the names of Chairman, Managing Director and other Directors of M/s. International Meditek Private Limited, 6, Netaji Subhash Marg, New Delhi;

(b) the items manufactured or dealt by this firm;

(c) the annual turn over of the firm;

(d) whether any cases of violation of company law provisions have come to the notice of Government in respect of this firm; and

(e) if so, the particulars and the action taken against them?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDER CHUNDER): (a) Names of Managing Director and other Directors of the Company as per Annual Return made up to 17th November, 1977 are as under:

1. Shri Prem Kumar Narula—Managing Director
2. Shri Raj Kumar Narula—Director.
3. Shri Parveen Kumar Narula—Director.
4. Smt. Sneh Narula—Director.
5. Smt. Neerja Narula—Director.

(b) From the first Profit and Loss Account for the period ended on 30th June 1977 filed by the Company with the Registrar of Companies, it is seen that the Company is trading in Medical and Surgical good.

(c) Annual turn over as per the Profit and Loss Account for the period ended 30th June, 1977 is Rs. 612/- only. (The Company was incorporated only recently on 7th May 1977).

(d) and (e). Records maintained by Registrar of Companies reveal that the company has not filed Board Resolution relating to appointment of Shri Prem Kumar Narula as Managing Director in terms of Section 192(4) (c) of Companies Act 1956. This matter is being pursued with the company and appropriate action as may be deemed fit will be taken in due course.

स्थानीय अधिवक्ताओं की उच्च न्यायालय के न्यायाधीशों के रूप में नियुक्ति

1371. श्री एच० एल० पी० सिन्हा : क्या बिबि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या विभिन्न उच्च न्यायालयों में नियुक्तियाँ करते समय सरकार का विचार यह सुनिश्चित करने का है कि स्थानीय अधिवक्ता अपने-अपने राज्य के उच्च न्यायालय में न नियुक्त किये जाते अपितु उनकी नियुक्ति अन्य राज्यों के उच्च न्यायालय में की जाये ताकि निपक्ष न्याय मिल सके; और

(ख) यदि नहीं, तो उसके क्या कारण हैं ?

शिक्षा, समाज कल्याण तथा संस्कृति मंत्री (डा० प्रताप चन्द्र खन्ना): (क) और (ख). उच्च न्यायालय के न्यायाधीशों की नियुक्तियाँ संविधान के अनुच्छेद 217 के अनुसार की जाती हैं, जिनमें स्थानीय अधिवक्ताओं की उनके राज्यों के उच्च न्यायालयों में नियुक्ति पर रोक नहीं लगाई गई है। अनेक स्थानीय अधिवक्ताओं ने उन उच्च न्यायालयों के न्यायाधीशों के रूप में क्वालिफिकेशन प्राप्त की है जिनमें उन्होंने बकालत की थी।

गया पटना रेल लाइन पर डकैती की घटनायें

1372. श्री एच० एल० पी० सिन्हा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) गया-पटना रेल लाइन पर वर्ष 1977-78 के दौरान अब तक चलती हुई रेलगाड़ियों में डकैती की कितनी घटनायें हुई;

(ख) क्या यह सच है कि अधिकांशतः शिक्षित युवकों का इन डकैतियों में हाथ होता है; और

(ग) अब तक कितने व्यक्तियों को गिरफ्तार किया गया है और इनमें से कितने व्यक्तियों पर मुकदमे चलाये गये ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):

(क) 1977-78 के दौरान पूर्व रेलवे बके गया-पटना खंड पर चलती गाड़ियों में डकैती-चूट-पाट की 6 घटनाएं हुई थीं।

(ख) डकैती और ट-पाट के इन मामलों में पुलिस द्वारा गिरफ्तार किये गये 12 व्यक्तियों में से तीन व्यक्ति निम्नलिखित थे जो इन्टर सार्जस तक पड़े हुए थे।

(ग) डकैती-चूट-पाट के इन मामलों में अब तक 12 व्यक्ति गिरफ्तार किये जा चुके हैं। तीन व्यक्तियों पर मुकदमा चलाया गया है।

रेलवे के खान-पान विभाग द्वारा काम पर लगाये गये विक्रेता

1373. श्री एच० एल० पी० सिन्हा : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे के खाद-पान विभाग द्वारा मिठाई, पान, सिगरेट, चाय आदि बेचने पर लाखों विक्रेताओं को काम पर लगाया गया है ;

(ख) क्या यह सच है कि उन्हें न तो वेतन दिया जाता है और न ही रिहायशी आवास उपलब्ध कराया जाता है और उन्हें केवल कमीशन दिया जाता है ; और

(ग) क्या सरकार का विचार निकट भविष्य में उन्हें वेतन देने और रेलवे कर्मचारियों के रूप में मान्यता देने का है ; यदि हां, तो कब तक और यदि नहीं, तो उसके क्या कारण हैं ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):

(क) जी नहीं, केवल चार हजार विक्रेता भारतीय रेलों पर विभागीय खान-पान स्थापनाओं द्वारा कमीशन के आधार पर नियोजित किये गये हैं।

(ख) और (ग). कमीशन विक्रेता रेल कर्मचारी नहीं होते हैं। तथापि, उन्हें उनके द्वारा की गयी विक्री के आधार पर निम्नलिखित वर्दी सप्ताई की जाती है और रेलवे अस्पतालों में बहुरिग रोगी के रूप में केवल स्वयं के लिए निम्नलिखित चिकित्सा सुविधा दी जाती है। इन कमीशन विक्रेताओं को, रेलों पर नियमित कर्मचारियों के रूप में समाहित करने का कोई प्रस्ताव नहीं है।

Proposals approved under Monopolies and Restrictive Trade Practices Act

1374. SHRI G. Y. KRISHNAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) what are the details regarding the proposals under the Monopolies and Restrictive Trade Practices Act, approved by Government upto July, 1978;

(b) the number out of these proposals which relate to the top ten large industrial houses; and

(c) whether Government's declared policy to reduce disparities in income was kept in view while approving the proposals relating to the large industrial houses?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) The details regarding the proposals approved under Sections 21, 22 and 23 of the MRTP Act, by the Government for the period from 1st June 1970 to 31st December 1976 have been given in the six Annual Reports on the Working and Administration of the MRTP Act, 1969, already laid on the Table of the Lok Sabha on 28th November 1972, 13th December, 1973, 18th December 1974, 18th May 1976, 5th April 1977 and 12th May 1978, respectively. A statement indicating the details of the proposals approved under these sections of the MRTP Act by the Government from 1st January 1977 to 31st July 1978, is laid on the Table of the Sabha. [Placed in Library. See No. LT- LT-2895/78].

(b) Out of the total 426 proposals approved from 1st June 1970 to 31st July 1978 by the Government, 126 proposals relate to the top ten large industrial houses ranked according to value of assets in 1975.

(c) The proposals received from the undertakings covered by the MRTP Act are examined in the light of the current Industrial Licensing Policy, the considerations laid down under Section 28 of the MRTP Act and after satisfying that the scheme of finance with regard to these proposals was not likely to lead to concentration of economic power to the common detriment or was not likely to be prejudicial to

the public interest. It is also being generally ensured that as a consequence of approval granted under the MRTTP Act no unit or business group acquires a dominant or monopolistic position in the market and that large houses do not resort to unfair practices arising out of manufacturing products through inter-linkages. Another important consideration now being kept in view is that large industrial houses should implement their proposals for expansion or setting up of new undertakings on their own internally generated sources to the maximum extent possible except in cases of proposals of capital intensive nature like fertilizers, paper, cement, shipping, petro-chemicals etc.

Electrification on Southern Railway

1375. SHRI O. V. ALAGESAN: Will the Minister of RAILWAYS be pleased to state:

(a) what is the present stage of construction of Madras-Vijayawada and first phase of Madras-Arakkonam viz., Madras-Tiruvallur schemes of electrification on the Southern Railway and when will they be completed;

(b) when is it proposed to take up the second phase viz., Tiruvallur-Arakkonam electrification; and

(c) whether it is proposed to set apart the present double line electrified on the Madras-Tiruvallur and the Madras-Gummidipoondi suburban sections for electric train service and lay separate lines for main line traffic on the above short stretches?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) By the end of September 1978 62.2 per cent of electrification works of Madras-Vijayawada section and 65.45 per cent of Madras-Trivellore section have been completed. Electrification of both the sections is likely to be completed during 1979-80.

(b) It has not been decided to take up electrification of Trivellore-Arakkonam section so far.

(c) There are no such proposals.

Proposal for increasing Capacity of Madras Refinery

1376. SHRI O. V. ALAGESAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether any proposal has been received from the Madras Refinery for increasing their capacity to 3.5 million tons;

(b) what is the additional refining capacity that will be required to meet the needs of Southern India by 1984-85; and

(c) where is it proposed to locate the additional capacity?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Yes, Sir.

(b) and (c). A Study Group was appointed on 14th December, 1977 to examine the additional refining/secondary processing capacity to be set up/initiated during the Sixth Plan (1978-83) and for two subsequent years. The report of the said Study Group has been received and is under appraisal of the Government in consultation with the Working Group on Petroleum set up by the Planning Commission.

On Shore and Off-Shore Production of Oil by ONGC

1377. SHRI O. V. ALAGESAN: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) what is the current production of oil on-shore and off-shore by Oil and Natural Gas Commission;

(b) what are the plans for stepping up production of oil;

(c) whether drilling in off-shore Tamil Nadu and Orissa coasts has been successful;

(d) whether vigorous efforts will be undertaken to explore oil on shore other than the eastern and western regions; and

(e) whether there are any proposals to maximise production from Bombay High?

THE MINISTER OF PETROLEUM, AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) to (e). During the period April 1978 to September 1978, ONGC has already produced about 3.93 million tonnes of crude oil out of which 2.81 million tonnes is from onshore and 1.12 million tonnes from offshore.

ONGC is making intensive efforts to increase exploration and production of crude oil. It plans to increase its oil production to about 15.2 million tonnes by 1982-83 against the actual production of about 7.59 million tonnes during 1977-78.

As far as onshore areas are concerned, apart from continuing its efforts in the Eastern and Western Regions, ONGC proposes to do further exploration in the onshore areas of Tripura, West Bengal, U.P., Andhra Pradesh, Punjab foothills, Ganga Valley, Krishna-Godavari Basin, etc.

As far as the production from Bombay High is concerned, keeping in view the various factors, the crude oil production programme has been recently revised as below:—

(Crude oil in million tonnes)

1978-79	1979-80	1980-81	1981-82	1982-83
3.40	4.40	5.90	8.2	9.00

So far all the wells drilled in the off-shore areas adjoining Pondicherry-Tamil Nadu Coasts and Bengal-Orissa Basin have been found to be dry.

उत्तर रेलवे में दिये गये खान-पान सम्बन्धी ठेके

1378. श्री हुकम चन्द कछलाय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे के प्रत्येक डिवीजन में कितने खान-पान ठेके दिये गये हैं।

(ख) क्या खान पान तथा अन्य स्टालों के 10 प्रतिशत ठेके नियमों के अनुसार अनुसूचित जातियों तथा अनुसूचित जन जातियों के लोगों को दिये गये हैं, और यदि नहीं तो उसके क्या कारण हैं ;

(ग) उत्तर रेलवे के सभी डिवीजनों में अनुसूचित जातियों और अनुसूचित जन जातियों के जिन लोगों को बड़े व छोटे ठेके दिये गये हैं, उनकी संख्या, नाम तथा पते क्या हैं ; और

(घ) ऐसे छोटे एवं बड़े ठेकेदारों की संख्या कितनी है जिनके ठेकों का तीन या चार बार नवीकरण किया जा चुका है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):
(क) 1-4-1975 से 31-10-1978 तक की
अवधि के दौरान निम्नलिखित ठेके दिये गये हैं:—

मंडल	ठेकों की संख्या
दिल्ली	31
मुरादाबाद	50
लखनऊ	18
इलाहाबाद	28
फिरोजपुर	29
बोकारो	167
जोधपुर	141
जोड़	464

(ख) कंटेरिंग/बैडिंग के ठेके देने के मामले में अनुसूचित जातियों/अनुसूचित जनजातियों के लिए कोई आरक्षण नहीं है। लेकिन, सरकार की 1-8-78 से लागू वर्तमान नीति के अनुसार कंटेरिंग और बैडिंग के 1/2 यूनिट के सभी ठेके केवल अनुसूचित जातियों और अनुसूचित जन जातियों के लिए आरक्षित हैं।

(ग) एक विवरण सभा पटल पर रख दिया गया है। [ग्रन्थालय में रखा गया। देखिये संख्या LT 2896/78]

(घ) कुल मिलाकर 488 बड़े और छोटे ठेकों की तीन या चार बार नवीकरण किया गया है। ऐसे

ठेकों के बारे में जी, अनुसूचित जाति/अनुसूचित जन जाति के व्यक्तियों के पास में प्रीर उनका नवीकरण किया गया था, सूचना इकट्ठी की जा रही है प्रीर सभापितल पर रख दी जायेगी।

पिछड़े आदिवासी क्षेत्रों में नई रेल लाइनों का निर्माण

1379. डा० लक्ष्मीनारायण पांडेय : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को हाल ही में पिछड़े आदिवासी क्षेत्रों में नई लाइनों के निर्माण के लिये अभ्यावेदन या प्रस्ताव मिले हैं ;

(ख) यदि हां, तो ऐसी मांगें किन-किन क्षेत्रों से की गई हैं ; और

(ग) उम पर सरकार द्वारा क्या कार्यवाही की जा रही है ?

रेल मंत्रालय में राज्य मंत्री (श्री शिव नारायण):
(क) से (ग). पिछड़े आदिवासी क्षेत्रों में नयी रेल लाइनों के निर्माण के लिए प्रस्ताव विभिन्न राज्य सरकारों, संसद् सदस्यों और अन्य सार्वजनिक निकायों से समय-समय पर प्राप्त हुए हैं जिन पर गुण-दोष के आधार पर निधि की उपलब्धता के अनुसार विचार किया गया है।

पूर्वोत्तर क्षेत्र में पूरक मांग—1978-79 द्वारा निम्नलिखित 6 नयी रेल लाइनों का निर्माण शुरू करने के लिये संसद् का अनुमोदन प्राप्त करने का प्रस्ताव किया गया है :

क्र० सं०	लाइन का नाम	सेवित राज्य	कि०मी० में लम्बाई	लागत (करोड़ रुपयों में)
1.	गुवाहाटी-बुरुनीहाट (बड़ी ला०)	आसाम/मिघालय	28.21	8.20
2.	धर्मनगर-कुमारघाट (मी०ला०)	त्रिपुरा	33.50	9.67
3.	मिलबर-जिरिबाम (मी०ला०)	आसाम/मनीपुर	50.36	12.13
4.	बोलीपारा-भालुकुयोंग (मी०ला०)	आसाम/अरुणाचल	33.45	4.70
5.	भ्रामगुरि-तुलि (मी०ला०)	आसाम/नागालैंड	17.07	4.83
6.	लालाघाट-धैराबि (मी०ला०)	आसाम/मिजोरम	48.77	10.76

पिछड़े और जन जाति क्षेत्रों में निम्नलिखित रेल लाइनों का निर्माण कार्य हाथ में है :—

1. गुजरात में नाडियाड—कापड़वंज—मोदासा
2. उड़ीसा में जख्मापुरा—बंसपानी
3. महाराष्ट्र में बानी—बनाकर
4. आन्ध्र प्रदेश में नाडिकुडे—बीबीनगर
5. उत्तर प्रदेश और मध्य प्रदेश में करैला रोड—जयन्त
6. आन्ध्र प्रदेश में भद्राचलन—मानुगुरु।

उर्वरक कारखानों द्वारा क्षमता से कम उत्पादन

1380. श्री लक्ष्मी नारायण पाण्डेय : क्या पेट्रोलियम, रसायन और उर्वरक मंत्री यह बताने की कृपा करेंगे कि :

(क) उन उर्वरक कारखानों के नाम क्या हैं जिनमें उत्पादन उनकी क्षमता से कम हो रहा है ;

(ख) क्या सरकार यह बात स्पष्ट करेगी कि वह ऐसे कारखानों के बारे में क्या नीति अपनायेगी ; और

(ग) किस समय तक ?

पेट्रोलियम तथा रसायन और उर्वरक मंत्री (श्री हेमचन्द्र मन्चन बाहुगुणा) : (क) अप्रैल—प्रक्तूबर, 1978 की अवधि के दौरान निम्नलिखित संयंत्र निर्धारित क्षमता से कम क्षमता पर कार्य कर रहे थे :—

संयंत्रों का नाम	सरकारी क्षेत्र	बाइडोजन	फास्फेट
सरकारी क्षेत्र			
1. *सिन्दरी	1. ट्राम्बे II/		
2. गोरखपुर	2. उद्योगमंडल		
3. नामरूप	3. कोचीन		
4. नामरूप बिस्तार	4. मद्रास		
5. दुर्गापुर	5. खेतरी		
6. बरोनी			
7. ट्राम्बे II/	गैर-सरकारी क्षेत्र		
8. नंगल			
9. नांगल बिस्तार	1. बड़ौदा		
10. उद्योगमंडल	2. बिजाय		
11. कोचीन । और II	3. गोवा		
12. राऊरकेला	4. टूटीकोरम		
13. नैवेली			
14. मद्रास			

गैर-सरकारी क्षेत्र

15. वाराणसी
16. एनौर
17. बड़ौदा
18. बिजाय
19. कोटा
20. कानपुर
21. गोवा
22. टूटीकोरम
23. मंथलीर

(ख) और (ग) एककों में उत्पादन की पद्धति की सरकार द्वारा लगातार देख-रेख की जाती है और कई संयंत्रों में मरम्मत, कठिनाईयों पर काबू पाना, प्रतिस्थापन और नवीनीकरण, पावर उत्पन्न करने की अपनी सुविधाओं की स्थापना और कच्चे माल में परिवर्तन आदि जैसे विभिन्न कदम उठाए जा रहे हैं ताकि उनकी परिचालन दक्षता में सुधार लाया जा सके।

*जब तक प्राधुनिकरण योजना बालू है तब तक सुरक्षा के लिए उर्वरक संयंत्र को बन्द कर दिया गया है।

Proposal to raise Price of Oil by Organisation of Petroleum Exporting countries

1381. SHRI JANARDHANA PO-OJARI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are aware that OPEC countries are considering to raise the price of oil; and

(b) if so, its impact on Indian economy?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) and (b). The question of an increase in crude prices by OPEC Countries is expected to be considered at their forthcoming meeting at Abu Dhabi on 16th December, 1978.

India's oil import bill stands at around Rs. 1600 at present and will increase in accordance with any further hike in crude prices by OPEC.

Proposal to Double Crude Refining Capacity

1382. SHRI JANARDHANA PO-OJARY: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are considering a proposal to double its crude refining capacity; and

(b) if so, the details in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) No, Sir.

(b) Does not arise.

Effect of Strike by Iranian Oil Workers on Crude Supplies

1383. SHRI S. R. DAMANI: Will the Minister of PETROLEUM, CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government are seized of the serious situation arising out of the suspension of crude oil supplies from Iran in view of the continued strike of Iranian oil workers;

(b) whether any contingency plans have been drawn up to import crude oil from other countries to make up for the shortfall in supplies; if so, the broad details thereof; and

(c) what other measures are being taken to ensure the continued working of the Madras Refinery, which is dependent on the Iranian Oil only?

THE MINISTER OF PETROLEUM AND CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): (a) Yes, Sir.

(b) There is uncertainty at present regarding the likely availability of our balance entitlements of Iranian Crudes during November and December, 1978 under the various contractual arrangements. Following the reported improvement in Iranian crude oil production, constant efforts are being made

to obtain maximum supplies against the balance quantity which was planned to be uplifted from Iran during this period. Simultaneously, the possibilities of importing crude through other sources have been explored. Additional imports of 485000/Tons of crude oil from Iraq have been firming up recently. Depending on further availability from Iran, additional crude imports through other sources would have to be organised as necessary.

(c) The availability of crude from sources other than Iran have been re-allocated in order to maintain crude runs at all the coastal Refineries including MRL at more or less planned levels during November, 1978.

Demand of Supreme Court Bar Association to Ban Practice by Retired Judges

1384. SHRI VIJAY KUMAR N. PATIL: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is fact that the Supreme Court Bar Association has demanded for restoring the ban on practice as a lawyer by the person who holds the office as a permanent judge of High Court and opposed appointment of retired Judges of High Courts to commissions and other positions;

(b) if so, furnish details of the demands/resolutions received by the Government from the Supreme Court Bar Association; and

(c) what is the reaction of the Government to the various demands made therein?

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (DR. PRATAP CHANDRA CHUNDER): (a) Yes, Sir.

(b) The Association has resolved that the attention of the Government and the members of both the Houses of Parliament be called to the necessity

of taking immediate action for removing the words "permanent" and "except the Supreme Court and the other High Courts" from Article 220 of the Constitution. Reference has also been invited to the resolution passed in the General Body meeting of the Association on 1-9-1972 in which it was resolved that Government should also consider the inadvisability of appointing former Judges of the High Courts to Commissions and other positions.

(c) The Law Commission in their 72nd Report have opposed the idea of making any amendment in Article 220. Their view has been accepted by Government. Having regard to the need and availability of suitable personnel, Government do not consider it advisable to exclude retired Judges from appointment to Commissions.

New Railway line in Bastar

1385. SHRI NARENDRA SINH: Will the Minister of RAILWAYS be pleased to state:

(a) whether his Ministry has completed the final location survey for construction of a new railway line in Bastar District of Madhya Pradesh;

(b) if so, details thereof; and

(c) expected time by which the line is to be constructed?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI SHEO NARAIN): (a) to (c). Final Location Survey for construction of a new broad gauge line from Dalli Rajhara to Jagdalpur has been completed. The proposed line will be 234 Kms. long and is estimated to cost Rs. 46 crores, yielding a return of 7.97 per cent with diesel traction by DCF method. The question of taking up construction of this line would depend on the availability of resources for this purpose.

12.hrs.

STATEMENT RE.

- (i) INCIDENTS IN CONNECTION WITH SAMASTIPUR POLL; AND
- (ii) REPORTED ARREST OF AND INJURIES TO SHRI VASANT SATHE, M.P.

MR. SPEAKER: The Leader of the opposition to make a statement.

SHRI C. M. STEPHEN (Idukki): Mr. Speaker, Sir, with your permission, I would like to bring to the notice of the honourable House certain appalling incidents that have taken place in connection with Samastipur poll. A Minister of Bihar was arrested; his security-men were arrested; the jeep in which he was travelling was taken into custody. An MLA belonging to the ruling party was arrested. This has been reported today in the papers. These arrests took place and they have been released. These securitymen of the Minister and two drivers were also arrested. All of them were arrested on charges of forming unlawful assembly, rioting, causing injuries and attempt at murder.

Again, it is stated that there were three securitymen attached to the Minister. Normally, one securityman goes round. But, in this case the police were intrigued to find how all the three securitymen were with him at the time of the incident. The jeep that was seized was registered in Delhi; it was the one in which he was travelling. This is what has happened. As far as the Minister is concerned, after one day's detention, he has now been released on bail. All the securitymen also have been released on bail.

Further, Mrs. Premlata Rai, Janata MLA has also been arrested for her attempt to take away the ballot boxes. There has been an allegation there that ballot boxes were attempted to be taken away and attempts were made to capture the polling booths. These incidents have taken place in the past. But this is the first time that even an allegation is made that a Minister of the State concerned is involved in it.

[Shri C. M. Stephen]

In a similar incident, the security guard of Mr. Kameshwar Paswan, the Minister of Welfare, was also arrested for the same purpose because he took out his revolver to fire at the crowd....

SHRI DINEN BHATTACHARYA (Serampore): For whose welfare!

SHRI C. M. STEPHEN: God alone knows, for whose welfare! The other Minister is himself the Minister of Tourism.

The point is that when the polling is going on, everybody is equal. Nobody is superior to anybody at all. You can go to the polling booth to cast your vote, not otherwise. Here, what has happened is that a Minister has gone with all the securitymen with fire-arms and the people came in clash them. The police came to arrest the Minister and the securitymen.

If this is the situation, I am only appealing to the House to consider how the peaceful of the poll is possible. That is what I have got to ask.

The House will be shocked to know that the Minister is still continuing as a Minister. The Chief Minister is reported to be untraceable: he is taking rest in an undisclosed place. No action is being taken by the Chief Minister as such. There is a break-down of law and order in the areas. This is a serious matter that I wanted to bring to the notice of the House.

There is one more thing. I checked up with your Secretariat to know whether the arrest of Mr. V. P. Sathe was reported to your Secretariat. I have been told that it has not been reported.... (Interruptions).

MR. SPEAKER: I have permitted him.

SHRI C. M. STEPHEN: The PTI says that Mr. V. P. Sathe was arrested by the police. This is the report of the PTI. It is also reported that he was injured. The report should have come to you. The report has not come to you. That is a breach of privilege of the House. I demand that these Ministers must be dismissed from the Ministry, and if the Chief Minister refuses to do that, his Ministry must be dismissed. (Interruptions)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL) rose—

MR. SPEAKER: Mr. Mandal wants to make a statement. (Interruptions)

MR. SPEAKER: Whenever a Minister or the Leader of the Opposition, who is of the rank of a Minister, wishes to make a statement, the Chair always permits him. This is not a precedent. This is the normal convention of the House. The Leader of the Opposition has been given the same rank as that of a Minister. Mr. Mandal (Interruptions)

MR. SPEAKER: Please allow Mr. Mandal to make a statement.

SHRI DHANIK LAL MANDAL: I will make the statement later on. At this stage I refuse the allegations made against the Ministers.

MR. SPEAKER: I will permit Mr. Mandal to make a statement tomorrow.

Now, papers to be laid on the Table.

12.06 hrs.

PAPERS LAID ON THE TABLE

**OIL INDUSTRY DEVELOPMENT BOARD
(EMPLOYEES' CONTRIBUTORY PROVIDENT
FUND) RULES 1978**

THE MINISTER OF PETROLEUM, CHEMICALS AND FERTILIZERS (SHRI H. N. BAHUGUNA): I beg to lay on the Table a copy of the Oil Industry Development Board (Employees' Contributory Provident Fund) Rules, 1978 (Hindi and English versions) published in Notification No. G.S.R. 512(E) in Gazette of India dated the 28th October, 1978 under sub-section (3) of section 31 of the Oil Industry (Development) Act, 1974. [Placed in Library. See No. LT-2876/78].

**INTIMATION RE: RELEASE OF
SHRI VISHVESHVAR RAO RAJE**

MR. SPEAKER: I have to inform the House that I have received the following wireless message dated the 27th November, 1978, from the Police Inspector, Police Station Lakadganj, Nagpur:—

"Regarding the arrest of Shri Vishveshvar Rao Raja, MP. He is released today, i.e., 27-11-78 at 16.15 hours."

SHRI M. SATYANARAYAN RAO (Karimnagar): What about Mr. Sathe?

MR. SPEAKER: I have not got any message. If it is so, I will take action. Call attention.

**CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE**

**REPORTED CYCLONIC STORM IN GUJARAT,
TAMIL NADU AND OTHER PARTS OF THE
COUNTRY**

SHRI MUKHTIAR SINGH MALIK (Sonepat): Sir, I call the attention of the hon. Minister of Agriculture
3149 LS-9

and Irrigation to the following matter of urgent public importance and I request that he may make a statement thereon:—

"Reported cyclonic storm in Gujarat, Tamil Nadu and other parts of the country resulting in heavy loss of life and property."

THE MINISTER OF AGRICULTURE AND IRRIGATION (SHRI SURJIT SINGH BARNALA): At 8.30 A.M. on the 23rd November, 1978, a cyclonic storm was reported to be at a distance of 150 to 200 kms. East of Trincomalee on the Western coast of Sri Lanka. The storm was proceeding towards Sri Lanka and it was apprehended that it might cross over to the Southern coast of Tamil Nadu also. On the afternoon of the 23rd November, 1978, the India Meteorological Department issued a warning that a storm surge was likely to build up upto 5 metres by mid-day or afternoon, on the 24th November, 1978 over the South Tamil Nadu coast. A telex message was immediately sent by the Additional Secretary in the Department of Agriculture to the Chief Secretary and Revenue Secretary, Tamil Nadu requesting that all possible measures to save life and property should be taken. The Revenue Secretary, Tamil Nadu was also contacted on the phone at 8.30 P.M. on 23-11-1978 and was warned by the Additional Secretary about the storm and the warning of the India Meteorological Department was communicated to him. He indicated that the State Government was seized of the cyclonic storm and has been taking all possible measures for the safety of life and property in the coastal areas.

According to the information received from the State Government on the phone, the cyclone which struck Sri Lanka crossed the Gulf of Manaar and struck the Tamil Nadu coast between Tuticorin and Pamban on the 24th November at 6 P.M. Pamban bridge and road are intact but the jetty put

(Shri Surjit Singh Barnala)

up for road bridge was smashed. Coastal areas of three districts of Thanjavur, Ramanathapuram, Tinivelli were affected. About 300 to 500 boats of fishermen are either damaged or missing. About 40,000 persons had been evacuated. No village was washed away but six villages were marooned. The cyclone moved towards the west between Coimbatore and the Nilgiris and there was heavy down-pour at the Nilgiris, and Coonoor market near Ottacamund was badly affected.

In all so far, according to the State Government, 14 human lives were lost and one person is missing. Nearly five hundred heads of cattle were also lost. About one thousand hutments have been damaged.

About 300 relief camps have been opened by the State Government. The Army had been alerted but their assistance was not required. According to the preliminary information, not much of the cropped area has been damaged and the damage to public utilities is being assessed.

In association with the storm, fairly widespread rain with isolated heavy falls were reported between the 24th and 26th November over Southern parts of Peninsula and over the Arabian sea islands.

On the 27th evening the depression causing the cyclonic storm lay centered about 400 kms. west of Goa. Latest Satellite picture at this stage indicated its north-westward movement and farther weakening. The storm was all along tracked by the Satellite and by the conventional ships and synoptic data.

Considering its north-westward movement and gradual weakening all ports and Government agencies along the west-coast have been dewarned on the 27th evening.

All along the warnings issued in connection with this storm were quite

(CA)

adequate and timely. As early as the 21st November, the All India Radio had issued warning about the formation, expected movement and the area likely to be affected when the storm centre was about 1050 kms. away from the coast line. Detailed warnings were issued through All India Radio, New Delhi and All India Radio Madras from the evening of 22nd November about heavy rainfall and strong winds. Warning about tidal waves were issued on the evening of the 23rd November which was nearly 24 hours before the event. Suitable Press bulletins were also issued from time to time.

Apart from Tamil Nadu no information of any damage due to this cyclonic storm has so far been received from any State Government.

From the Government of Gujarat who were contacted last evening, the following information was received on the phone a few hours ago. A cyclonic storm the warning about which was being received from the 8th November, 1978, struck the Gujarat coast on the night between the 11th and 12th November, 1978 affecting the districts of Kutch, Jamnagar, Surendranagar, Junagarh, Amreli and Rajkot. A tidal wave 7 to 8 meters high inundated coastal areas between Naliya and Mandvia in Kutch district. Three persons who were travelling in a boat are still missing and one person died of lightening. Fiftyfive villages had been evacuated. There was no loss of cattle life. Fortyfour huts were damaged and 46 houses collapsed. In the Little Rann of Kutch salt pans valued at Rs. 54 lakhs and salt worth Rs. 1 crore 55 lakhs were lost or damaged. Five thousand persons were marooned in the low lying areas which were inundated by heavy precipitation and incursion of sea waves also because of the full moon night. Ten thousand and five hundred food packets were air-dropped for these persons. Assessment of cropped area damaged mainly in Kutch and Surendranagar districts

is being made. The State Government has not yet asked for any Central assistance but they are proposing to ask for assistance from the Central Salt cess.

The Government of Karnataka who were contacted yesterday also indicated a few hours ago this morning that there had not been any reported damage due to cyclone in the State. Lastly, as per reports received from Lakshadweep cyclone winds ranging between 60 to 100 kms. per hour accompanied by heavy rains occurred in all islands except in Minicoy from the 5th of November till 7th November morning. There was no loss of life or disruption of communications. About 4000 coconut trees were uprooted and 16 houses have collapsed as a result of the cyclone. 90 houses were partially damaged and about 33 families consisting of about 250 persons were evacuated to safe places and were given all assistance by way of food, shelter, etc. One country craft which sailed with a crew of 17 members on 3rd November from Calicut with copra was caught in the cyclone but had reached Mangalore safely on 10th November. Damage to government buildings was estimated at Rs. 20,000. One mechanised boat of the Harbour Department was damaged beyond repair. Senior officials of the local administration have been deputed to the various islands to assess the damage and a detailed report from the administration was awaited. All the affected islands have sufficient stock of food, kerosene, etc. According to the administration there is no cause for concern or panic in any of the affected islands and the situation is perfectly under control.

SHRI SHAMYANDAN MISHRA (Begusarai): Sir, may I rise on a point of order. When you pass on from one item to another and in the mean time some papers are laid on the Table, one can hold one's breath

for some time but one cannot hold one's breath for all time. (*Interruptions*)

We are rising on our feet because we thought if the papers were laid on the Table of the House you will give us an opportunity to raise a point of order. This is an important point about which you have to give guidance for the future. Sir, you were pleased to say that the Leader of the Opposition enjoys the status of a minister and that he can come up any time before the House and make a statement.

MR. SPEAKER: We are in the middle of the Calling Attention. I will give you an opportunity. Please sit down. I can give it more conveniently tomorrow because I have permitted the Minister to make a statement.

SHRI SHYAMNANDAN MISHRA: The Minister may not make a statement.

MR. SPEAKER: Even if he does not make a statement I will give you an opportunity.

(*Interruptions*)**

MR. SPEAKER: Don't record.

(*Interruptions*)*

MR. SPEAKER: This is how professors behave.

PROF. P. G. MAVALANKAR (Gandhinagar): There are some professors who are behaving

MR. SPEAKER: I am sorry.

श्री मुख्तियार सिंह मलिक : स्पीकर साहब, देश के अन्दर सूखा, बाढ़ और साइक्लोन बगैरह की एक ऐसी बीमारी हो गयी है जिस की वजह से देश के अन्दर काफी तबाही होती है और नुकसान होता है। पिछले साल साइक्लोन आया, फलट आया जिस की वजह से सोयाल और फसल डेमेज हुई, लोगों की लाइफ गयी। उस के बारे में मंत्री महोदय ने हाउस के अन्दर एक लम्बा चौड़ा स्टेटमेंट दिया और उस में कुछ एक्शोरेंसिज दी कि गवर्नमेंट इस किस्म के स्टेप्स उठा रही है जिस से कि लोगों की लाइफ और प्रापर्टी को बचाया जा सके। मेरी समझ में नहीं आया कि मिनिस्टर साहब ने पिछले साल जो एक्शोरेंसिज दिये थे कि वे बड़े जबरदस्त कदम उठा रहे हैं, और इस हाउस के अन्दर

**Not recorded.

[श्री मुख्तियार सिंह मलिक]

बिजे से उसके बाबजूद वे फलड और साइक्लोन क्यों घाते रहते हैं ?

मजें इश्क पर रहमत खुदा की

मज बढ़ता गया ज्यों ज्यों दवा की ॥

जितना ज्यादा आप कहते हैं कि इन आफतों को आप रोकेंगे उतनी ही ये ज्यादा बढ़ती जा रही है। पिछली दफा आपने हाउस में एम्बोरेसिस दिए थे। मुझे पता नहीं उन पर कोई प्रभाव भी हुआ है या नहीं हुआ है, कोई घर उसका हुआ है या नहीं हुआ है। मुझे तो ऐसा लगता है कि ऐसे ही ये पेपर एम्बोरेसिस से हाउस को बतलाने के लिए हो थे और वे सब खटाई में पड़े हुए हैं। नवम्बर के महीने में कई हादसे हुए हैं। पता नहीं यह नवम्बर का महीना कैसा चढ़ा है इसमें कई दुर्घटनाएँ हुई हैं। अच्छा है यह दो एक दिन में जा रहा है। मंत्री महोदय ने बताया है कि :

"The government of Karnataka who were contacted yesterday, a few hours ago this morning said that there had not been any reported damage due to cyclone in the State."

फिर बाद में मंगलूर बरैरह का उन्होंने जिक्र करना शुरू कर दिया। कब से ये हादसे शुरू हुए हैं ? पाँच नवम्बर से शुरू हुए हैं। पाँच तारीख को इतना जबर्दस्त धमाका हुआ कि लोक सभा को भी उसने हिट कर दिया। इंदिरा गांधी यहाँ पर आ गईं। साथ साथ पाँच तारीख से कर्नाटक में एक स्टार्म शुरू कर दिया। यह कोई अच्छी बात नहीं थी। उसी दिन 77-78 आदमी एक हवाई हादसे में मारे गए। नवम्बर में यह जबर्दस्त स्टार्म आया और हमने तमिलनाडु और कर्नाटक के अन्दर तबाही मचाई। किस तरह से कोई यह सब चीज जुड़ी हुई है। इसको आप देखें। पिछली दफा प्राइम मिनिस्टर के तौर पर हलफ लिया था तो उसी दिन एक जेट एयरक्रैफ्ट हुआ था।

MR. SPEAKER: Let us confine to floods.

श्री मुख्तियार सिंह मलिक : अब के हवाई हादसे में 78 सैनिक मारे गये हैं। पाँच तारीख से यह स्टार्म और साइक्लोन शुरू हुआ है। पाँच से और कर्नाटक से शुरू हुआ। मंगलूर बरैरह पर इसका असर पड़ा। यह कोई छोटा मोटा स्टार्म नहीं था। इस में तमिल नाडु में मौसम आने लगे हैं। भारी तबाह में मकान गिरे हैं। पाँच सौ हेक्ज आफ कंटल इसके अन्दर पैरिश हुए हैं। तीन सौ से ले कर पाँच सौ किशतियाँ या तो डूब गई हैं या मिसिंग हैं। प्रलय प्रलय नहीं

बताया है कि कितनी डीमेज हुई हैं और कितनी मिसिंग हैं। पाँच सौ फिजर बोट्स के मिसिंग होने का मतलब यह होता है कि इसमें बहुत ज्यादा मारे गये होंगे। कितना भारी जानी माली नुकसान हुआ है उसका आज तक पता नहीं है। यह गवर्नर की फील्डर है कि इसका वह आज तक पता नहीं लगा सकी है। इन मच्छेरा की क्या हालत हुई है यह भी सरकार को पता नहीं है। ये डूब गए हैं या क्या हुआ है कुछ पता नहीं है। 24 तारीख को यह समुद्री तूफान आया आज 28 तारीख हो गई है। सरकार को यह पता नहीं चल सका है कि उन किशतियों का क्या हुआ है। सरकार ने एक लम्बा चौड़ा ब्यान दे दिया है। आपने कहा है कि तमिलनाडु सरकार ने भी और ए आई आर ने भी उन लोगों को बराबर वाणिज्य दी कि तूफान आने वाला है। 20-21 तारीख से इनका देना शुरू हो गया था। उनका बना दिया गया था कि साइक्लोनिक वेज आयेगी। तभी न था करके वे 24 तारीख को आई। जब आपको पता था और लोगों को भी बना दिया गया था तो ऐसे कदम क्यों नहीं उठाए गए जिससे हैड्रज आफ कंटल जो तबाह हुए, मकानान आदि गिरे, वह चीज न होती।

मैंने गुजरात के बारे में एक मवाल दिया है। मेरी इन्तिहा के मुताबिक वह कल आने वाला है। हो सकता है कि उसका नम्बर न आए। यानी मुझे यह पता चला है कि सैटेलाइट के जॉयंग कोई प्रती वाणिज्य मिस्टम ऐसा ईजाद किया जा रहा है जिसमें साइक्लोन का प्रेडिक्शन बहुत जल्दी किया जा सकता है। मैं मंत्री महोदय से जानना चाहता हूँ कि क्या उन्होंने कभी प्राइम मिनिस्टर से, क्योंकि वह मैन एण्ड इलेक्ट्रानिक्स के इंजार्ज है, इसको एक्सप्लोर करने के लिये कोई बानबीन की है या नहीं कि आया इस किस्म का कोई सैटेलाइट जिसमें फलड बैगिंग या साइक्लोन बैगिंग का प्रेडिक्ट किया जा सके या कोई आवा ईजाद किया जा रहा है ? इससे कितना फायदा कंटी को हो सकता है या नहीं हो सकता है या दूसरे मुद्दों को हो सकता है ?

श्री सुरजीत सिंह बरनाला : इस दफे तो जैसा मैंने अंज किया था कि साइक्लोन जब 1,000 किलोमीटर पर था, तभी पता लगा लिया गया था और वाणिज्य दे दी गई कि किम जगह पर खतरा है, कितनी उंची बैच आयेगी और किस जगह पर स्ट्राइक करेगा। इस वाणिज्य का हो नतीजा था कि 40 हजार आदमी उस सोर्किलिटी से निकाल लिये गये, नहीं तो नुकसान बहुत भारी होने का खतरा था। उसके बाबजूद भी 14 जामे बर्से हैं, तो जब कभी ऐसा तूफान आता है, तो कुछ नुकसान तो होता ही है। यहाँ कहा गया कि किशतियाँ 300 से 500 तक लापता हैं या डूब गई हैं, उनमें बहुत आदमी

होंगे, हर किस्ती में भादमी होते हैं ऐसी बात नहीं है। कोस्टल लाइन पर खासतौर से वाणिज्य दी जाती है, उस समय किस्तियां बांध दी जाती हैं, जब तूफान आता है तो बहुत सी किस्तियों को से जाता है। किस्ती खाली होती है, उसमें भादमी नहीं होते हैं। जब कोस्ट पर वाणिज्य दी जाती है तो सब किस्तियां छोड़कर बांधकर बाहर निकल जाते हैं। इसलिये कोई खाम भादमी का नुकसान नहीं हुआ है, किस्तियों का जहर हुआ है, क्योंकि वह पानी में थी।

दूसरे आपने कहा है कि कर्नाटक में भी 5 तारीख को कोई साइक्लोन आया है। हमें ऐसे साइक्लोन की कोई इत्तिहा नहीं आई है जिनका जिक्र आप कर रहे हैं, भले ही आप उसे साइक्लोन कहें या कुछ कहें, शायद आप मजाल में किसी और बात को साइक्लोन बना रहे थे। मैंने तो डिटेन दी है कि इस वाणिज्य की वजह से ही बन्दोबस्त हो सका है हम ट्रेक कर सके हैं कि साइक्लोन कहां जा रहा है। जब वह वहां से चला गया तो हमने डी-बार्न कर दिया कि अब किसी को कोई खतरा नहीं है।

मैटेलाइड के जरिये हम ट्रेक करते रहे हैं, यह मैंने भ्राने स्टेटमेंट में ही कहा है। जब वह प्रेरियन सी की तरफ चला गया तब उस कोस्टल जरिये में डी-बार्न किया गया।

श्री शंकरसिंहजी बापेला (कपड़बंज) : जो ध्यानाकर्षण प्रस्ताव हमने रखा था, उसमें पहला नाम गुजरात का था। अभी जो मंत्री जी ने वक्तव्य दिया उसमें भी गुजरात और तमिलनाडु के नाम हैं, लेकिन हमको साढ़े 11 बजे तक जो वक्तव्य मिला, उसमें गुजरात का नाम बिल्कुल नहीं था। अभी भी जो वक्तव्य आया है, रिपोर्ट आया है, यह पूरी नहीं है, आधी है। इसमें भी यह है कि गुजरात की गवर्नमेंट से लास्ट ईवनिंग में ही कांटेक्ट हुआ है। 11, 12 नवम्बर को जहां तूफान आया है, वहां लास्ट ईवनिंग को ही गुजरात सरकार को कांटेक्ट किया जाता है और कहा जाता है कि नीचे लिखी इन्फार्मेशन कुछ घंटे पहले ही प्राप्त हुई है। आज की कॉनिंग अटेंशन है और कुछ पहले घंटे पहले इनको इन्फार्मेशन मिलती है कि गुजरात में यह हुआ है। 11, 12 नवम्बर को ऐसी घटना हुई और आज 28 नवम्बर को इतने दिन बाद हमारी केन्द्रीय सरकार कहे कि आज सूचना मिली है यह दुःख की बात है।

दूसरे जो तूफान होता है, ठीक है वह ऊपर वाले को मालूम होता है और ऊपर वाला शास्त्र जानकर भी अनजान रह सकता है लेकिन अगर सरकार जानकर भी अनजान रहेगी तों जो माल का नुकसान होता है, भादमी मारे जाते हैं, क्या हमारी सरकार इसकी कोई जिम्ता करेगी ?

इसके अलावा हवा-मौसम विभाग से रेडियों पर बात आती है कि आज का मौसम सूखा रहेगा तो उस दिन मौसम भीगा रहता है और जब वह विभाग कहता है कि बारिश होगी तो मौसम सूखा रहता है।

MR. SPEAKER : Not this time. This time they had predicted correctly.

श्री शंकरसिंहजी बापेला : यह जो इन्होंने बताया कि 23 नवम्बर को सूचना मिली और 24 को सूचना दे दी तो एक दिन की सूचना दी। इस स्टेटमेंट में दिया गया है कि इस तूफान के बारे में दी गई सभी चेतावनी पूर्णतया समय पर दी गई। तो एक दिन के समय को क्या वे पर्याप्त समय कहते हैं ? एक दिन की क्या बात होती है। गुजरात में जो अभी कुछ में नुकसान हुआ है वह लाखों रुपये में है। गुजरात में ला एंड आइर की भी नुकलीफ है। एक हरिजन लड़की तलवार से मारी गई, लेकिन आज तक कोई भादमी पकड़ा नहीं गया है। मैं मंत्री महोदय से यह जानना चाहता हूं कि जिन किसानों का पाट का नुकसान हुआ है, नमक बनाने वालों का जो नुकसान हुआ है—नमक गुजरात का बहुत बड़ा प्राइवशन है—काटन का जो नुकसान हुआ है और जो जो मकान गिर गये हैं, क्या सरकार उन को कोई सबसिडी देने की योजना पर विचार कर रही है। जिन लोगों का नेशनल कैलेमिटीज में नुकसान हो, क्या सरकार उनके बारे में किसी बीमा योजना, इनशोरेंस, पर विचार कर रही है ?

श्री सुरजीत सिंह बरनाला : शायद माननीय सदस्य ने मेरे जवाब को ठीक तरह से देखा नहीं है। हमने 21 तारीख से वार्निंग देनी शुरू की और 24 तारीख तक वार्निंग देते चले गये। मैं समझता हूं कि इस से बढ़िया और कोई वार्निंग नहीं हो सकती थी। हम कान्टीन्युअसली यह वार्निंग देते रहे—रेडियों से देते रहे, और तरीकों से भी देते रहे। लोगों को वार्निंग थी और इसी लिए वे बच गये।

माननीय सदस्य ने फरमाया है कि उन्होंने गुजरात के बारे में सबाल दिया था, लेकिन उसकी पूरी इत्तिहा नहीं दी गई। मुझे इस का नोटिस कब शाम को साढ़े सात बजे मिला। आपसे भी दरबवास्त है कि these notices should be given at least twenty-four hours earlier. Immediately we started contacting various State Governments. The Chief Secretary of Gujarat had no information

[श्री सुरजित सिंह बरनाला]

about this. We then contacted the Director of Relief and Rehabilitation and he has given the information which I have supplied; it could not be made part of the statement. Similarly though information from Lakshadweep has been received later, but I have added that in my statement.

माननीय सदस्य ने यह पूछा है कि जिन लोगों का नमक का नुकसान हो गया है, क्या उन्हें कुछ एमिस्टेज दी जायेगी। मैं जिक्र किया है कि स्टेट गवर्नमेंट का यह ख्याल है कि वह सेंट्रल साल्ट सेम में कुछ एमिस्टेज लेना चाहता है। उसने हमें एमिस्टेज के बारे में नहीं लिखा है। जब वह लिखेगी, तो जरूर उसके बारे में गौर किया जायेगा।

श्री शंकरमिहजी बाधेला : मंत्री महोदय ने इनशोरिंग के बारे में जवाब नहीं दिया है।

MR. SPEAKER: Are you going to have some insurance scheme for this?

SHRI SURJIT SINGH BARNALA: There is no such proposal before the Government.

SHRI G. M. BANATWALLA (Ponnani): Mr. Speaker, Sir, it is commendable that as compared to the cyclone last year, this time both the Central and the State Governments have shown good signs of their alertness. However, there is a wide disparity with respect to the assessment of loss and damage due to cyclone in Tamil Nadu. For example, we are told by the hon. Minister that 300 to 500 boats of fishermen are either damaged or missing, whereas the reports that have appeared in several newspapers place the damage at about 700 boats. Further, while the hon. Minister says that six villages were marooned, there are reports saying that as many as forty-eight villages are under water today. Similarly, while the hon. Minister says that according to preliminary information, not much of crop area has been damaged, reports, and reliable reports, indicate that standing paddy crops in lakhs of acres have been damaged. In view of this disparity with regard to the assessment of losses, I have to ask the Government whether the Government

intends to have a joint inspection and assessment of the damage along with the Government of Tamil Nadu in order that we may have a true picture of the loss and damage and think of the assistance accordingly.

Secondly, what is the type of assistance asked for by Tamil Nadu Government, and what is the type and extent of assistance that will be extended by the Central Government?

This is a repeating phenomenon. Several hundreds and thousands of huts near the coasts are washed away or destroyed. Is the Government thinking of some permanent measures such as special types of shelters that can be provided, so as to guarantee at least some amount of safety and security against ravages of these repeated cyclones?

The last point that I have to make is this: the Finance Minister of Tamil Nadu has said, after consulting the Chief Minister, that his Government is willing to provide Rs. 10 lakh worth of goods as relief to the cyclone-hit people of Trincomalle areas of Sri Lanka, where there are predominantly Tamil-speaking people—if the Prime Minister gives permission. What is the reaction of the Central Government?

MR. SPEAKER: The last aspect does not arise from this question.

SHRI G. M. BANATWALLA: I have put it. In Sri Lanka, it is a natural calamity.

MR. SPEAKER: The question is about calamities in India.

SHRI G. M. BANATWALLA: It is a humanitarian question. I think a very humane person like the hon. Minister would like to indicate the mind of the Government on this.

Finally, with respect to the Government of Gujarat, we are told that the State Government has not yet asked for any Central assistance, but that they are proposing to ask for assis-

tance from the Central Salt Cess. Will the Government enlighten us as to the position with respect to assistance from that Cess, the type of assistance that can be given, and the immediate effect? I hope Government will enlighten this House on all the aspects raised here.

SHRI SURJIT SINGH BARNALA :

The hon. Member has mentioned that there is a contradiction between the statement made by me, and the loss mentioned by some papers. We collect information from the State Governments. My statement is based mainly on the information received from the State Governments. Sometimes the statements in the Press are not very correct. So, we always base our statements in Parliament on the information collected from the State Governments. So, the loss that I have mentioned is as has been stated by the State Government of Tamil Nadu.

It has been mentioned that we should agree to a joint inspection. Joint inspection is not needed when we agree with the inspection of the State Governments; whatever loss they tell us, we agree to it. If they ask the Central Government to send a Central team, we send it—which can have talks with the officers and people there, and assess the whole situation and the damage, so that proper facilities could be provided for that area. But in this case, so far no Central team has been asked for; if they ask for a Central team, we will surely send it to that area, to assess the damage and loss.

It has been mentioned that the Government of Gujarat has informed us that they did not want any assistance from the Central Government, but from the Central Salt Cess. As I had mentioned earlier in my statement, the loss in that area is mainly of salt. The salt pans valued at Rs. 54 lakhs of salt, belonging probably to the private entrepreneurs, and pans worth Rs. 1.55 crores in another area, were

damaged. That is why they have mentioned the Central Salt Cess. If the State Government of Gujarat asks for any assistance from us or sends a memorandum, we will examine it and try to provide the facilities.

I forgot to mention about the permanent measures. It was taken into consideration last year also by the State Governments of Andhra Pradesh and Tamil Nadu. It was mentioned that some permanent structures should be constructed in the coastal areas, where at the time of cyclones, these people could go and take shelter. So far, Tamil Nadu has a proposal of constructing 37 anti-disaster shelters which can house, at such times, about 500 persons in each of these shelters. They can be used as community centres for education, medical facilities and as community halls in the other periods.

SHRI G. M. BANATWALLA : What is your assistance there? They are doing it.

SHRI SURJIT SINGH BARNALA :

We have provided a lot of assistance last year. For Tamil Nadu alone, earlier Rs. 29.31 crores had been sanctioned. Later, again in March, a Central team was sent. They again made some recommendations on the basis of which this year again Rs. 14.40 crores were allocated. Some food assistance was also given.

DR. MURLI MANOHAR JOSHI (Almora) : According to this statement, at 8.30 p.m. on 3rd November, the cyclonic storm was reported. Which was the agency that reported this cyclone—was it a national agency, or an international agency?

Again, they have said that adequate measures have been taken by the Tamil Nadu Government. What were actual measures of relief work—evacuation etc. Which were taken?

Then comes the question of this cyclone—from a different perspective. It is as if the cyclones are appearing

(Dr. Murlī Manohar Joshi)

generally in the month of November. There is a history behind it, that during the month of November there generally is a situation like the cyclone. The tornado appears in the months of March and April. I will not dilate upon statistics. The Minister knows them. In Delhi, there was a tornado in March 1978. Earlier they were there in Punjab and other places. It is in March that tornados appear, and in November the cyclones. There are certain zones. I would like to know from the Minister whether Government has identified that such and such places are the tornado zones, and that certain other places are cyclone zones. If they have identified them, what is the Central scheme for having a permanent agency to monitor the information, to organise relief and shelter in those zones?

It also appears that we do not know much about the cause of the cyclones and tornados in these areas. Is the Government thinking of organising certain special studies to tell us, and to have a complete data as to why these cyclones appear? Is it not a fact that they appear due to certain disturbances in the tropical atmosphere? There are very incomplete studies about this. India does not have sufficient data and personnel to give this information to the country. There have been certain international programmes like the Global Atmospheric Research Programme launched by the World Meteorological organization in 1960. Is India participating in that programme? If the cyclone forecast is made known a week or two earlier, it will be easier to organize evacuation and relief. There was an experiment in 1973 jointly with the Soviet Union, called the Indo-Soviet Meteorological Experiment. What are its results? Has the country been benefited by that experiment? Then there was Monex 1967. What are the results of both experiments? It was said that a weather satellite is going to be launched. What is the progress in that regard? It is supposed to be

launched somewhere in 1979. It involves not only India and Sri Lanka, it involves a number of other coastal countries also. Is the Government thinking of having some joint international programme of the Indian Ocean nations so as to have a complete picture of the tropical weather? If so, we would like to have full information from the Minister.

SHRI SURJIT SINGH BARNALA:

So far as cyclone affected areas in India are concerned, the eastern coast is more prone to cyclones, starting from West Bengal, covering part of Orissa, Andhra Pradesh and Tamil Nadu. These are more prone to cyclones, have been affected by cyclones, more than the western coast. On the western coast also cyclones do occur sometimes, but the damage on that side has been slightly lesser than the damage on the eastern side.

So far as tornados are concerned, it has not been possible to have any predictions even in the scientifically most advanced countries. Even in America, where the largest number of tornados occur they have not been able to find out or identify the particular zones, or to trace them. They can know only when it is formed, and then they can track it and go after it. Here also we can know about the tornado only when it is actually formed, and not earlier than that. So, there can be no warning about it.

MR. SPEAKER: They go after that or before that?

SHRI SURJIT SINGH BARNALA:

They can follow it, by sending wireless messages to the area to which it is travelling. That is what is normally done. They send information through wireless, through radio, to the areas which are likely to be affected by it. In the case of cyclone, there is forecasting. There also we give a warning from a distance of about 1,000 km, three days before the cyclone is actually likely to hit the area.

So far as monitoring is concerned, we have a good warning system. We have on the east coast cyclone radar stations in Calcutta, Paradip, Visakhapatnam and Madras. Two more are proposed to be established at Karaikal and Machilipatnam. On the west coast we have it at Bombay and Goa. So the warning system is quite good. We are trying to improve the warning system.

DR. MURLI MANOHAR JOSHI: What about Monex 1967? Have we been able to utilize them and get satisfactory results from this experiment? Then, which agency gave the report? Was it a national agency?

SHRI SURJIT SINGH BARNALA: The report was given by the India Meteorological Department. They had issued this warning, which was relayed by the All India Radio and published by the press. It originated from the India Meteorological Department, our own national agency. India is also participating in WMO Tropical Cyclone Project. It is a project in which we are trying to take part.

SHRI SAUGATA ROY (Barrackpore): It is hardly a controversial matter, in which many questions can be asked. In fact, that is our complaint that we are not allowed to raise many controversial questions.

MR. SPEAKER: I think we should have more fruitful questions than controversial questions.

SHRI SAUGATA ROY: That will make the House more sedate.

We are unhappy that the Minister's statement was incomplete in the sense that it has not touched the cyclone damage that has been done to Nilgiris in Tamil Nadu. Though Nilgiris has not been a coastal district, it has been the worst affected district in the whole south. Coonoor town was completely ruined and communication to Ooty has been completely disrupted and large areas of coffee plantations have

been cut off. A central team has already gone there to assess the damage. So, I would like to know from the hon. Minister (a) whether, according to his information, this damage to the Nilgiris has been caused due to large-scale deforestation that has taken place there and, in that case, whether he has in contemplation any afforestation plan in the Nilgiris; (b) whether he is prepared to give sufficient assistance to the Tamil Nadu Government to overcome the losses suffered in the Nilgiris district; and (c) whether he is satisfied that the early warning system along both the east and west coast, which did not prove very satisfactory earlier, is good enough? The cyclone hit Sri Lanka first, and there was great loss of life and damage to property there, and then it came to India. So, the Minister says that our early warning system was very good. The early warning was in fact given by the cyclone hitting Sri Lanka, and not by our warning system. The tracking of a cyclone is possible if its eye moves slowly. If the eye of the cyclone moves very fast, as in the case of the Andhra cyclone, our early warning system fails. So, what is in fact necessary is not five or six stations on the east coast and only two on the west coasts, but may be 20 along the east coast and ten at least on the west coast. Is the Minister prepared to accept that?

MR. SPEAKER: Now you see it is not non-controversial!

SHRI SURJIT SINGH BARNALA: It is not correct to say that the warning was given only after the cyclone had hit Ceylon, it was not like that. It was given even earlier than the cyclone hitting areas of Sri Lanka.

Regarding Nilgiris, it was not a cyclone that caused the damage, it was heavy rains. De-forestation has nothing to do with cyclones, cyclone cannot be the effect of de-forestation. De-forestation can result in land slides, silting etc., but not in cyclones.

SHRI JANARDHANA POOJARY (Mangalore): On a point of order. Under rule 53, yesterday I have given notice of an adjournment motion.

MR. SPEAKER: It does not arise. A point of order is on a subject which is under discussion. Now, there is no subject.

PETITION RE. WORKING OF LIFE INSURANCE CORPORATION OF INDIA

SHRI R. K. MHALGI (Thana): I beg to present a petition signed by Shri Sudhir Anant Barwe and others regarding working of Life Insurance Corporation of India.

12.52 hrs.

MATTERS UNDER RULE 377

(i) NEED FOR A COMMON POLICY FOR THE SETTLEMENT OF BOUNDARY DISPUTES AMONG VARIOUS STATES

MR. SPEAKER: Matters under rule 377.

SHRI EDUARDO FALEIRO (Mor-mugao): Several inter-State boundary disputes have remained unsettled for the last several years. The Assam-Nagaland dispute, the Maharashtra-Karnataka dispute and the Punjab-Haryana dispute offer some examples of these border tiffs where no solution has been reached. These issues have caused much trouble and agitation from time to time. It is unfortunate that the Government of India have generally chosen not to interfere and as a result no peaceful and lasting solution has been found for these disputes. I therefore request the Government to evolve immediately a common policy for the settlement of these boundary disputes so that they may be decided once and for all. I also request Government to make a statement in this regard?

(ii) REPORTED STEEP FALL IN PRICES OF COTTON AND DIFFICULTIES OF COTTON GROWERS OF PUNJAB, HARYANA AND RAJASTHAN.

SHRI BALWANT SINGH RAMOO-WALIA (Faridkot): With your permission, Sir, I make the following statement under rule 377 on a matter of urgent public importance.

The cotton growers of Punjab, Haryana and Rajasthan have been economically ruined due to steep fall in the prices of cotton which are less by Rs. 1500 to Rs. 200 per quintal compared to the previous years. A further fall of Rs. 50 is expected this week as the markets of these States are being glutted with cotton. The farmers of these northern States are distrusted and disappointed. The Cotton Corporation of India's attitude towards the kisans is criminally indifferent. The CCI is planning more in favour of textile owners at the cost of poor primary producers of cotton. The price of kapas (cotton) is Rs. 300 only whereas the price of rui (cotton for fibre) is Rs. 1500. The poor farmers' domestic budget, such as, to purchase rabi seeds, diesel, necessities of life, clothes and other requirements have been totally disturbed.

The Government of India should come to the rescue of these farmers. The CCI who is importing cotton bales at the rate of Rs. 3500 from Russia and Rs. 4000 from Egypt compared to Rs. 1700 per bale in India should stop import of cotton. A special subsidy fund be granted to help the cotton growers immediately. The A.P.C. should reconsider its recommendations about cotton price. The price of cotton must be linked with the price index of fabric and cloth prices. The CCI should be attached with the Ministry of Agriculture. Two cloth mills should be established at Bhatinda and Malout in Punjab.

I would request the Government to make a statement on that.

12.57 hrs.

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL

MR. SPEAKER: We now take up the Legislative Business. Shri S. D. Patil.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Mr. Speaker, Sir, I beg to move*:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

The provisions of the Bill are intended to remove the doubts and difficulties felt in the actual working of the new Code. As the hon. Members are aware, the new Code enacted in 1973 replaced the 75-year-old basic law of Criminal Procedure. A new law of this range and complexity cannot be made foolproof straightway and the time has come after watching its working to remove such doubts and difficulties through suitable amendments. The present Bill seeks to do this.

The Notes on Clauses appended to the Bill explain the reasons for making the various changes and I shall refer to the more important among them.

The new Code provides for the Public Prosecutor/Additional Public Prosecutor in a district out of a panel to be prepared by the District Magistrate in consultation with the Sessions Judge. While this provision can work satisfactorily in States which have no regular cadre of prosecuting officers for appointment as Public Prosecutor/Additional Public Prosecutors, it creates difficulties in States in which regular cadres of prosecuting officers exist for there it becomes impractical to follow the procedure prescribed for preparing a panel for each district. It is accordingly proposed to amend Section 24 to provide for appointment of these func-

tionaries out of a regular cadre in States where such cadres are formed.

Under the existing Code, a Magistrate can demand a personal bond but not surely from a person for keeping the peace. The corresponding provision under the old Code contained a provision for demanding sureties also. After the conduct of the new Code, some of the State Governments have suggested that the provision under the old Code providing demand of sureties along with the bond should be restored as the new provision is not proving effective. It is, therefore, proposed vide clause 11 to amend Section 107 to enable the Magistrate to demand sureties in appropriate cases.

MR. SPEAKER: You may continue after lunch. The House stands adjourned to meet again at 2 P.M.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Nine Minutes past Fourteen of the Clock.

[SHRIMATI PARVATHI KRISHNAN in the Chair]

CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL—contd.

SHRI S. D. PATIL: Madam Chairman, I am lucky that I got an opportunity to make my speech while you are in the Chair.

The new Code makes a provision in section 167 that if the investigation is not completed within 60 days, the accused person, in custody, shall be entitled to be released on bail. Behind this provision lies the salutary intention to check delays in investigation. However, in serious cases it is often difficult to complete the investigation within 60 days and if the accused is released on bail serious damage

*Moved with the recommendation of the President.

(Shri S. D. Patil)

may result. To remedy this, the amendment in clause 13 seeks to extend the period of 60 days to 90 days in cases relating to offences punishable with death, imprisonment for life or imprisonment for not less than ten years.

It has also been provided in that Clause that an Executive Magistrate on whom powers of a Judicial Magistrate have been conferred can also order the remand of a person produced before him for a period of not more than 7 days. This provision is intended to provide for cases where the Judicial Magistrate is not readily available.

The Committee on Status of Women in India recommended that to remove difficulties faced by women in launching prosecution for bigamy, it should be provided that a complaint may be made on behalf of the wife by any relative of hers and that such complaint can be made at the place where she resides, instead of her being compelled to go to the place where she lived with the husband. This recommendation has been accepted and the amendments in clauses 15 and 17 are intended to give effect to this.

A salutary provision has been made in the new Code for giving the accused person an opportunity for having his say in the matter of punishment. This should not, however, be allowed to protract the trial unnecessarily and it has accordingly been clarified by the amendment in clause 25 that no adjournment shall be granted only for this purpose.

It sometimes happens that committal proceedings, though routine, take more than one day. Under the existing Code there is no provision authorising the committing Magistrate to remand the accused person during the committal proceedings. This defect is being removed in Clause 19.

The existing section 378 provides that an appeal can be filed in the High Court from an original or appellate

order of acquittal passed by any court other than the High Court. The section is proposed to be amended so as to provide that an appeal can be filed in the High Court against an order of acquittal passed by the Court of Session in revision also.

The Joint Committee of both the Houses of Parliament on the Indian Penal Code (Amendment) Bill, 1972 inserted a proviso to section 57 IPC to provide that where a sentence of imprisonment for life is imposed on conviction of a person for a capital offence or where a sentence of death imposed on a person has been commuted into one of imprisonment for life, such person shall not be released from prison unless he has served at least 14 years of actual imprisonment, as it was brought to the notice of the Committee that sometimes due to grant of remission, even murderers sentenced to death whose death sentence was commuted to life imprisonment, were released at the end of 5 or 6 years. As the subject matter of the proviso to section 57 IPC more appropriately relates to the provision of Chapter XXXII of the Cr. P.C., it is proposed to insert new section 433A to cover the proviso inserted by the Joint Committee which has for this reason been deleted in the IPC (Amendment) Bill, 1972, as passed by the other House.

I may inform Members that these amendments have been worked out after extensive consultations with the State Governments and implementing agencies. A Bill to amend the Code of Criminal Procedure 1973 was introduced in and passed by the other House in 1976 and thereafter lapsed as it could not be considered in Lok Sabha. Such provisions in that Bill as were considered unjust or controversial have been left out from the present Bill whose provisions seek to remove practical difficulties that have come to light to make the new Code more perfect and to secure its intended purpose of ensuring efficient and speedy justice.

PROF. P. G. MAVALANKAR (Gandhinagar): You mean, it is least imperfect.

SHRI S. D. PATIL: I am sure the hon. Members will readily approve those amendments.

I move that the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration.

MR. CHAIRMAN: Motion moved;

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

There are amendments given notice of by Sarvashri Vinayak Prasad Yadav and Dinesh Joarder. Are you moving?

SHRI VINAYAK PRASAD YADAV (Saharsa): I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st January, 1979."
(2)

SHRI DINESH JOARDER (Malda): I move:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be referred to a Joint Committee of the Houses consisting of 15 members, 10 from this House, namely:—

Shri Palas Barman,
Shri Chitta Basu,
Shri Dhirendranath Basu,
Shri C. K. Chandrappan,
Shri Raj Krishna Dawn,
Shrimati Mrinal Keshav Gore,
Shri S. D. Patil,
Shri Sakti Kumar Sarkar,
Shri Ugrasen,
Shri Dinesh Joarder;

and 5 from Rajya Sabha;

"That in order to constitute a sitting of the Joint Committee the

quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee that communicate to this House the names of 5 members to be appointed by Rajya Sabha to the Joint Committee." (3)

MR. CHAIRMAN: Mr. Joarder.

SHRI DINESH JOARDER: Madam, Chairman, true to speak, there is actually no point of major controversy in this Bill. The amendments that have been brought here in this Bill are mostly innocent in nature and necessary also. Some of them are not at all important. But, there are few clauses which I would like to highlight here. I would request the hon. Minister to reconsider whether these can be reframed in such a manner that certain controversies which may occur in future are not there. There should be no chance of such a controversy in the Bill.

I would request the Minister to consider in that light. Coming to clause number 5—Section 24, it has been suggested that the Central Government may also appoint public prosecutor or additional public prosecutor. When the State Government is there to appoint public prosecutor or additional public prosecutor either in high court or in district court, I think the Central Government should not have taken that power also to appoint public prosecutor or additional prosecutor at the district level or even in the High Court. They could appoint them through the State machinery only. If

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there are two sets of public prosecutors in a particular court, one for the Central Government and the other for the State Government holding two different views, then, there will be some confusion. In certain cases where the Central Government may require the help of certain public prosecutor, that appointment should go through the State machinery. They may require the help of certain public prosecutors that have been appointed by the State Government itself. If it comes to directly appointing any public prosecutor for any court, then, in that case, the jurisdiction of a particular court may arise and certain other confusion may also arise there. So, to avoid that sort of misunderstanding or holding of different views by different sets of public prosecutors, I think appointment of any public prosecutor should be by the State alone and not directly by the Central Government. You will also find in sub-clause (5) of Clause 8 that the public prosecutors in district levels should be appointed from the panel, that is to be prepared by the District Magistrate. In the case of State Government, the public prosecutors should be appointed from amongst those in the panel and not from those whose names do not appear in the panel.

In the case of Central Government, there is no such obligation like the State Governments for appointment of public prosecutor from the panel. The Central Government may appoint anybody from outside or inside the panel. In that case, I would request the Minister to consider that the standard is maintained. Otherwise arbitrariness will arise and unnecessarily the advocates will try to earn the favour of certain officers. Even though the name is not in the panel, they will get the appointment of that person as a public prosecutor in the district level. So, the obligation should not be there in the case of Central Government also to appoint

the public prosecutor from amongst the names appearing in the panel and not from those outside the panel.

Then I come to the provision regarding extension of the detention period of the under-trial prisoner from 60 days to 90 days. This limit of 60 days of detention of the under-trial prisoner has been brought in only after a strenuous struggle and fight in the last Lok Sabha. The Government was not initially willing to accept this limitation of the detention period of the under-trial prisoner. Many hon. Members fought for this and then only the Government came forward and agreed that there should be a certain limit of 60 days for the detention of the under-trial prisoner. Now, what is happening in this Bill? The Police Officers never care for completing the investigation within a certain specified period. They go on getting extension of time for the detention of the accused in the court. The under-trial prisoner does not know when and in which way actually his case will be dealt with whether it will be adjudicated, or how the case will be finalised. All that is not certain and the police officers, as I said, do not care to complete the investigation within a specified period. That is why in the last Lok Sabha views were expressed that police officers should be called upon to complete the investigation within a particular and specified period. If you go on allowing them unlimited time, then in that case police officers will not exhibit responsibility and they will not behave in such way as to fulfil their own obligations and discharge their own responsibilities. That way, this will again give them a handle. So though I agree that in certain cases like murder or dacoity with murder or some such offences where life imprisonment is prescribed, where this may be required, in respect of other matters the cases should be completed within a period of 60 days. Even in respect of these offences, in the Cr. P. C. certain exceptions are there. The reasons will have to be recorded in writing, if detention for a period

exceeding 60 days is necessary. Here, in this case also, if further detention exceeding 90 days is necessary, then, it should be recorded in writing and this is given only under special circumstances where the investigation could not be completed and the person had to be detained.

Therefore, I request the hon. Minister to ensure that this limit of 90 days should be the last limit. Police officers should complete investigation within this period. If necessary, you may ask the State Government to augment the strength of the investigating officers. They may increase the strength of the police officers in the police stations. In any case, the under-trial prisoner should not be detained for an unlimited period and his liberty should not be curtailed.

Then, it is stated in Clause 13 that where the case could not be investigated or could not be completed within 24 hours, the accused can be detained and in that case he will be produced before a judicial magistrate. The Executive magistrate is also brought in here before whom the accused person could be produced. Now, the Executive magistrates are still under the control of the other officers and District magistrates. They are subject to local, political considerations or some other extraneous influences. A person may be unnecessarily detained even if there is no case against him at all. The police would get a handle to arrest anybody whom they would like, detain him and produce him before the executive magistrate. The executive magistrate would be under the influence of the district magistrate. Such arrests may be made by the police under the influence of somebody. They may detain innocent people unnecessarily. In order to avoid this unnecessary hardship to such innocent people, who may not be the victims of the police, the provision in the Bill with regard to the executive magistrates should not be there; it should be dropped. In order to meet the situation, you should ask the State Governments to appoint

judicial magistrates in sufficient numbers so that their services may be made available even in the remote villages.

We have discussed many times in the House the question of extending judicial facilities in the extreme remote corners of the States, so that the people may not be put to unnecessary trouble and hardship and the daily wage-earners may not be made to lose their wages when they are required to go to the courts at long distances for days together. There is a provision in the Criminal Procedure Code also that legal aid and other facilities should be extended to the poor people. In view of this, it was necessary that there should be sufficient number of judicial magistrates and the number of courts should be increased so that the people can get the benefit of cheaper justice expeditiously and promptly.

Clause 21 of the Bill seeks to provide that even if the evidence is given in the language of the court, it may not be recorded in that language; if it is difficult to record it in that language, it may be recorded in Hindi or English. I do not know why this clause has been incorporated. Suppose in Tamil Nadu, the court language is Tamil and if the evidence is given in Tamil and that could not be recorded in Tamil, in that case, it should be recorded in Hindi. It may mean that the trying magistrate or the judge in that court may not be conversant with that language. May be that some outsiders, some I.A.S. officers or some other people may be appointed as magistrate and they may not know the language of the court where they are posted. It may happen. But it should be the general principle that when any State adopts any particular language for the transaction of the Government and judicial business, if they have a particular court language, they should also provide that all the magistrates and judges should know

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and learn that particular language. They should know the language of the place, where they are serving. It is very much desirable that the magistrate should know the local language. This is very essential for the integrity and unity of the country.

Lastly, I would like to say a few words with regard to the setting off of the imprisonment period against the detention of the accused during under-trial. When a certain amount of fine is imposed on an accused and if he cannot pay the fine, he shall have to undergo the entire length of detention period in lieu thereof, whereas if instead of imposing the fine, he was punished with certain period of sentence to undergo, he would have got the benefit of setting off against his detention when he was under-trial. Here also, I request that, when the accused person has been imposed a fine, in default of fine certain period of imprisonment, set off benefit should be given and the under-trial period of detention should also be counted and adjusted against the total period of punishment.

Clause 33 of the Bill adds a new section 433A. The hon. Minister has stated that it was the recommendations of the Joint Committee that there should be no commutation of period where already death sentence has been commuted to life imprisonment and some other punishment has been given; the imprisonment period must be undergone to the extent of at least 14 years. We have not agreed to that clause. I think you also know that a few months back one woman prisoner, Molina Dhak, was released from the prison; she was sentenced to capital punishment and awaiting execution; even then she was released and set free by the State Government of West Bengal. This opportunity you are now taking away and you are also interfering with the right and privilege enjoyed by the state governments in considering particular circumstances of the cases and the facts

under which certain punishment was given. Considering all these matters the state government should have the right to commute any punishment whatever its nature may be; it should not be taken away. At that time also we did not agree with the majority opinion; rather we opposed capital punishment, i.e. death sentence; we maintain that stand; here also I request you to drop this because this interferes with the state governments' right, authority and privilege. Though this has been uncalled for, it has been incorporated here. With these words, I conclude my remarks.

SHRI PURNANARAYAN SINHA (Tezpur): Though I am supposed to support the Bill, I am afraid that I find some clauses which are contradictory to what has been achieved in the long years that have gone by. I find from certain clauses that instead of separating the executive from the judiciary, they do otherwise. It is a principle which has been accepted. Under certain clauses in this Bill the executive magistrates have been empowered to receive an accused person under arrest and send him to custody for a period not exceeding seven days, and only on the expiry of that period of detention; he has been entitled to be admitted to bail, but the executive magistrate who has been authorised to accept an accused person under arrest has not been given the power to admit him to bail. This is a clause which hits at the very principle of separating executive from the judiciary. Clause 13 says:

"...The Magistrate may authorise the detention of the accused person, otherwise than in the custody of the police, beyond the period of fifteen days, if he is satisfied that adequate grounds exist for doing so, but no magistrate shall authorise the detention of the accused person in custody under this paragraph for a total period exceeding (i) ninety days, where the investigation relates to an offence punishable with

death, imprisonment for life or imprisonment for a term not less than ten years;

(ii) sixty days, where the investigation relates to any other offence."

There are enabling provisions in the Criminal Procedure Code. Here it has been made rather an enactment for disablement. One would not be able to get released on bail. We all know that investigations are to be completed within sixty days; the chargesheet is to be submitted and a final report must come before the magistrate for disposal within six months, whereas six months has become the minimum period for detention. While the police prepare the records and have the investigation completed. This provision hits at the very principle of civil liberty. At the same time there are other provisions also that the Central Government will appoint some assistant public prosecutors and additional public prosecutors. My friend who spoke just now dealt with the implication of the powers exercised by the state governments as well as by the central government. There will be a galaxy of central-government-appointed public prosecutors and some other state-governments-appointed public prosecutors. There will be rivalry between the two in district courts, in subdivisional courts and instead of getting justice people will start getting rather injustice in the squabbles that will continue among them.

Another point is this. An advocate who has put in not less than 7 years of practice either as an advocate or as an assistant public prosecutor can only become an additional public prosecutor. But what is the qualification of a magistrate? A judicial magistrate is called from the bar even if he has put in less than five years practice. Some magistrates have put in only three years. After the period of articleship has been removed, a law graduate having obtained a licence from the Bar Council of India can join the bar as an advocate. In three

years he learns very little; even in five years he learns very little. He can become a judicial magistrate and sit in judgement over the legal experience of a lawyer who may be of 30 or even 50 years standing. Why is this condition put here that an additional public prosecutor should be one who has put in seven years legal practice and special public prosecutors to have 10 years. These are some clauses which are not quite acceptable to us; more particularly, as I have already stated, the amendment has brought in clauses for re-joining of the executive with the judiciary.

Clause 13 (d) says:

"(2A): Notwithstanding anything contained in sub-section (2), the officer in charge of the police station, etc., have been conferred."

I feel that this should not have been done in this amendment to Cr. P.C. Therefore, I would rather request the hon. Minister to introduce a new Bill or send this to the Select Committee appointed by himself so that these various clauses which are hitting at the very principle which we have been practising for so many years after the 1955 amendment could be carefully considered and a fresh Bill may be brought in for the overall amendment of the Cr. P.C. for improvement of the judicial system in the country.

SHRI A. SUNNA SAHIB (Palghat): I should like to draw the attention of the hon. Minister to certain anomalies that have been created by the present amending Bill. Regarding the appointment of the public prosecutors, the Centre and the States are there. When a public prosecutor is appointed by the Centre, the principle enunciated in the state will not be understood. My submission is that if there are cases to be prosecuted by the central government, the Central Government public prosecutor may be there; but as far as the law what is enunciated by the state is concerned, the state public prosecutor may be there. In re-

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gard to state subjects, the state public prosecutors are to be given a chance to appear before the district magistrate courts and sessions courts.

When the public prosecutors are to appear before the Executive Magistrates, 323, 326 IPC does not come into picture. It does not arise. It is beyond that scope.

District Magistrates have to try certain cases. Sessions is on a different footing. My humble submission is as far as Public Prosecutors are concerned, the State cases should be handled by the State Prosecutors and for the Central cases the Central Government may have the chance.

Now it has been said that in consultation with the District Judge the public prosecutors will be appointed. Panel of public prosecutors is submitted in consultation with the District Judge. Political influence will be there. When the name of the advocate—practising one—in which party is interested does not appear in the list, the list is sent back. Actually the criteria should be long service and practical knowledge. These may be taken into consideration so that they may be able to do justice to the work.

I have been a Public Prosecutor in Palghat District. I find that very very raw hands are given a chance to appear for the accused before the sessions Court. The District Judges pick and choose the advocates who are actually very raw. Able and experienced hands should be appointed. Such advocates who have a standing in the bar should be appointed. The standing must be recognised by the District Judge. If the District Magistrate is to appoint Public Prosecutor in consultation with the District Judge, the interest of the accused must be guarded. Good advocates must be appointed so that his case is well defended. The raw persons will not be able to argue the case of the accused properly.

The Executive Magistrates come under Executive heads. They are called Revenue Divisional Officers. Suppose there is a case under I.P.C. and if they are to appear before Executive Magistrates, really speaking, there would not be any link between the two. Executive Magistrates can try cases under 144 and 145 Cr. P.C. If there is a dispute between the person and property, there the Executive Magistrate can have a role. As far as IPC is concerned, when Judicial Magistrate is independently appointed, he can try the case. Executive First Class Magistrates are under Executives. The superior officer is the Collector. He will have to take direct on from him.

Under I.P.C. cases the interest of the accused can be guarded if he appears before the District Magistrate.

If any sort of surety is to be released, naturally the persons concerned should appear before the Judicial Magistrate.

Detention of the accused—six months or ninety days—are not consistent. The funniest part is when investigation ends, after 173, the First Information Report is given. The accused will be somewhere. He will be absconding. Under 162, 164 confession is taken and recording of statements is to be taken by the Magistrate whosoever he may be. It would not be inconsistent with the law.

When under 173 FIR is filed by the Police Officer, the statements and the investigation must be complete within a specified time. If the extension of the time is given for detention, naturally the investigation will be protracted and justice will be delayed and denied.

Then the investigation would not be proper and it would not be consistent with the law. It is better that the statement under section 162 is recorded as early as possible. It is very unfortunate that the

time has been extended from 60 days to 90 days. It is better that the investigation if completed within the time limit; is finished as early as possible, so that the under-trial prisoners will not be put to harm. Justice delayed is justice denied. So, the trial should be speeded up.

If the sub-inspectors are not enough for the purpose, you increase the number of sub-inspectors. Instead of having more Executive Magistrates, you can better have more District Magistrates. Instead of having a multiplicity of Executive Magistrates, you should have more District Magistrates within the frame work of the Constitution so that they can perform their duties efficiently and promptly.

Then I come to clause 21, which says:

"In section 277 of the principal Act, in clause (a), after the words 'taken down in that language' the words 'or if it is not practicable to do so, it shall be taken down in Hindi or in English' shall be inserted."

I really fail to understand the object of this provision. I represent Kerala, where the court language is mostly Malayalam; similarly, in Tamil Nadu it is Tamil. So, it is better that it is continued in English, as in the existing provision. The Cr. P.C. written by Macaulay and enacted then has more or less become a bible for practising lawyers. It is much better worded, considering the number of amendments that are nowadays being brought to the various enactments.

PROF. P. G. MAVALANKAR (Gandhinagar): You talk so fluently in both Malayalam and Tamil.

SHRI A. SUNNA SAHIB: When the accused is standing on the dock and the magistrate has to record his evidence, it is better that it is done in the language spoken by the accused. Language should not be a barrier to fair trial. The magistrate has to understand the language of the accused. If

the magistrate does not know the language of the area, it is better that he learns the language of that particular district and record the evidence. That is what is being done in the case of IAS Officers. If a person from UP in the IAS is posted to Kerala, first he is posted as Assistant Collector for two years, given training and then taken to the IAS cadre. So, the language in which the statement is recorded must be the language of the State, which is understood by the accused without any difficulty.

Coming to clause 32, imprisonment is given as an alternative to fine. Here I would suggest that if the under-trial prisoner has undergone imprisonment, better it is given in lieu of that. So, imprisonment must be there. At the same time, fine is imposed. If the fine is not taken into consideration, the alternative period undergone must be taken into consideration.

With this submission, I conclude, and I thank the Madam Chairman for having given me the opportunity to speak.

श्री आर० डी० गड्ढानी (जाधपुर): सभापति महोदय, नया जाल्ना फौजदारी कानून 1974 में लाया हुआ था। दो बरसों के अनुभव के बाद उसमें संशोधन करने के लिए 1976 में एक बिल पेश हुआ था। मगर पिछली लोक सभा के खत्म होने के साथ-साथ वह बिल भी खत्म हो गया। अब फिर संशोधन के लिए एक नया बिल लाया गया है। मंत्री महोदय ने कहा है कि 1976 के बिल में जो जो गैर-जरूरी बातें थीं, और जो अच्छी बातें थीं, उनको हटा दिया गया है। लेकिन मुझे लगता है कि दो बातों की तरफ शायद मंत्री महोदय का ध्यान आकर्षित नहीं हुआ है।

इस संशोधक विधेयक की क्लॉज 13(बी) को मंजूर करने का मतलब यह होगा कि जब पुलिस रिमांड लेने के लिए मैजिस्ट्रेट के सामने जायेगी, तो मुलजिम को साथ ले जाना जरूरी नहीं होगा। यह बहुत गलत बात होगी। आज तक ऐसा नहीं हुआ है। इस बारे में पूरी तरह से सोच-विचार कर लेना चाहिए कह गया है कि कभी कभी ऐसा मौका आ जाता है, जब

[श्री आर० डी० गट्टानी]

मलजिम को साथ नहीं ले जाया जा सकता है। म निवेदन करना चाहता हूँ कि मुलजिम को साथ ल जाना बहुत जरूरी है। आप और हम सब जानते हैं कि पुलिस की कस्टडी में मुलजिम को कितनी याननाय दी जाती है। अगर रिमांड के वक्त मुलजिम को मैजिस्ट्रेट के सामने पेश न किया गया, तो मलजिम की तरफ से बताने वाला कौन होगा कि उसको पीटा गया है या नहीं, उसको खाना दिया गया है या नहीं, उसको सोने दिया गया है या नहीं, और उसके साथ इन्सान का बर्ताव भी किया गया है या नहीं? कहा गया है कि अगर मुलजिम बीमार हो, तो क्या किया जाये। मवाल यह है कि अगर वह आज बीमार होना है, तो क्या किया जाना है? कहा गया है कि कभी कभी मिश्रिट्री के ख्याल में मुलजिम को साथ ले जाना मुनासिब नहीं होगा। मैं निवेदन करना चाहता हूँ कि अगर मुलजिम इतना खूबार व्यक्ति है, अगर मिश्रिट्री का मवाल है, तो अच्छा यह होगा कि मैजिस्ट्रेट को जेल या पुलिस कस्टडी की जगह भज दिया जाये। लेकिन मैजिस्ट्रेट के लिए यह वाजिबी होना चाहिए कि वह मुलजिम से वान करे और पूछे कि रिमांड के बारे में उसको क्या एतराज है। यह जरूरी है। यह कानून बरमाँ में चलता आ रहा है। हमें इसका नजर-अंदाज नहीं करना चाहिए।

जहां तक क्लॉज 21 का सम्बन्ध है, दो अन्तरवर्तन सम्बन्ध इसका बारे में बोल चर्के हैं। इस में कहा गया है कि अगर मैजिस्ट्रेट कोर्ट लैग्ज में किसी गवाह का एविडेन्स न ले सकता हो, तो हिन्दी या अंग्रेजी में उसका बयान लिया जाय। म निहायत प्रदब के साथ कहना चाहता हूँ कि यह बान विल्कुल अच्छी नहीं है। अखल तो कोर्ट में ऐसा मैजिस्ट्रेट क्यों हों, जो कोर्ट की लैग्ज नहीं जानता है? अगर किसी वजह से ऐसा हो भी जाये, तो क्या यह जरूरी है कि जिस गवाह का बयान लेना है, वह हिन्दी या अंग्रेजी जानता हो? नामिलनाडु, केरल और कर्नाटक में ज्यादातर गवाह ऐसे होंगे, जो न हिन्दी और न अंग्रेजी जानते होंगे। उनके लिए और ज्यादा मुश्किल होगी। मेरा सुझाव है कि अगर बाकई कोई दिक्कत होती है, तो स्टेट्स जर्नल के मुनाबिक सी० आर० पी० सी० में संशोधन कर सकती है। इस लिए क्लॉज 21 को हटा दिया जाना चाहिए और क्लॉज 13(बी) को भी खत्म कर देना चाहिए।

दो एक बाने में दूसरी भी निवेदन करना चाहुंगा अभी यह कहा गया था कि एग्जीक्यूटिव मैजिस्ट्रेट को रिमांड की पावर नहीं देनी चाहिए। मेरे ख्याल में उन साहबान ने जिन्होंने इस का विरोध किया है पूरा कानून जो हम लाने जा रहे हैं वह पढ़ा नहीं है। इस में दो शर्तें रखी गई हैं कि जहां जूडिशियल मैजिस्ट्रेट नहीं मिल पा रहा हो और एग्जीक्यूटिव मैजिस्ट्रेट को जूडिशियल मैजिस्ट्रेट की पावर्स दी गई हों वहां रिमांड के

लिए मुलजिम पेश किया जा सकता है। यह मेरे ख्याल से ज्यादा ठीक है और मुलजिम की सहूलियत के लिए है। क्योंकि वहां एग्जीक्यूटिव मैजिस्ट्रेट को जूडिशियल मैजिस्ट्रेट के अधिकार दिए गए हैं, तो मुलजिम न केवल रिमांड की, सुख-दुख की बात मैजिस्ट्रेट से कह सकेगा बल्कि जमानत की भी सहूलियत उस को मिलेगी, वह जमानत भी हासिल कर सकेगा। तो यह जो सुधार किया जा रहा है यह मुलजिम के फायदे के लिए है।

60 दिन और 90 दिन के बारे में बहुत कहा गया है और यह कहा गया है कि जस्टिस डिलेड इज जस्टिस डिनाइड। अगर हम को यह भी ध्यान में रखना चाहिए, 60 दिन के बजाय 90 दिन का प्रावधान अगर किया जा रहा है तो इस का यह मतलब नहीं है कि 90 दिन होने ही चाहिए। साथ साथ यह भी नहीं होना चाहिए कि जल्दी जल्दी में काम हो। यह कहावत तो ठीक है कि जस्टिस डिलेड इज जस्टिस डिनाइड लेकिन इस कहावत को भी हमें अपने ध्यान में लाना चाहिए कि जस्टिस डेरीड इज जस्टिस डेरीड।

अभी एक साहब ने कहा कि नामिलनाडु या केरल की तरफ तो इंग्लिश ही कोर्ट लैग्ज हो जानी चाहिये। म निहायत प्रदब में कहाँ कि आज के जमाने में भी यह कहा जाय कि कि इंग्लिश कोर्ट लैग्ज हो, जब कि हम उम्मीद करते हैं कि हमारे यहां जो रोजनल लैग्ज है वह ज्यादा फ्लरिश करे, यह किसी तरह भी ठीक नहीं है।

SHRI T. BALAKRISHNIAH (Tirupathi): I oppose this Bill for the reason that it is politically motivated. Otherwise, there is no necessity for bringing this kind of legislation so soon.

The Criminal Procedure Code, the Indian Penal Code and the Civil Procedure Code are very important laws and are frequently used. It is not as if these are rarely used. It is because of their importance, that all these Codes were amended and brought up-to-date. .

Government has to keep in mind the recommendations of the Law Commission, namely that litigation should be made less expensive, delay should be reduced to reduce the pendency of cases, and that the ends of justice should be met. Are these

points kept in mind by Government in bringing this amendment to the Criminal Procedure Code? If you examine the clauses, you will see that this Bill is mainly meant to harass certain people or certain party people. That is why I feel it is no good. You must keep in mind the larger interests of the people and bring a legislation. That is why I said this amendment is mainly politically motivated, and it is a bad piece of legislation, it will not help the people.

Keeping in mind the recommendations of the Law Commission, let us see whether firstly delay can be reduced. Suppose a person commits an offence in Delhi, according to this law, he can be arrested and produced before an executive magistrate in Fatehpur. He can be produced there. The executive magistrate can give a remand for seven days. That is the provision in the present Bill.

15 hrs.

The people thought that there should be an independent judiciary. That is why there is a provision in the Constitution also separating judiciary from the executive. Why this constitutional provision is not kept in mind in bringing forward this amendment? Why should the executive magistrate be given the power to give a remand? Can you reduce delay in giving this power to the executive magistrates? Suppose a person is arrested and he is to be produced before a magistrate. He wants to be produced before the executive magistrate. He will not be immediately available. When there is a judicial magistrate, a qualified magistrate available, what is the point in sending him to the executive magistrate? The main idea is that the party in power, whichever party may be in power, can prevail upon the executive magistrate to punish and to harass a particular person. That is why I said that this amendment is politically-motivated. This power of remand should not be given to the executive magistrates. It should be given only to the judicial magistrates.

What is the point in committing a person who commits an offence in the city before a mofussil magistrate and in committing a person who commits an offence in the mofussil before a city magistrate? That is what is going to be done.

In the CRP cases, they want to restore the old law. We did not want the old law because unnecessary botheration of preliminary enquiry in the lower court, taking of evidence and all these things were there. The magistrate had no powers to sentence him; he had to be committed to the Session's court.

There was a lot of delay and all that. Therefore, an amendment was brought in 1973 that he should straightway be committed to the Session's court where he can be tried and evidence can be taken. But they are now doing otherwise. They are restoring the old law. They want to produce him before the First Class Magistrate or the Second Class Magistrate, take the evidence and follow all the procedure right from the beginning. In a way, it is good that they are helping the lawyers who will have a chance to cross-examine them at the lower court and also at the Session's court. But they are increasing the delay. That is why I say that it is a bad piece of legislation.

With regard to surety, Section 107, in clause 11, they are now proposing to bring an amendment mainly to harass the poor people. You want to say that you are going to help the poor people but, at the same time, you are introducing a provision whereby, in addition to his own surety bond, you are asking for another surety from somebody else. Section 107 is always introduced in the court before the executive magistrate by the police to maintain law and order. When two people fight, when two groups of people fight Section 107 proceedings are instituted by the police and they are produced before the divisional magistrate who is supposed to be the executive magistrate. A new amendment

[Shri T. Balakrishniah]

was recently brought in because many people were involved there who cannot offer surety, who cannot bring surety from other places. So, on their own bond, they could be released. That is the existing provision. I do not know why the Government is now bringing a change that in addition to his own surety bond, he must also produce surety, on his behalf, from somebody else. Is it not causing hardship to the poor people particularly in the present circumstances when there are communal elements, when the people are harassed by other people. Is it not causing a hardship on the poor people when they are asked to produce surety on their behalf besides their own surety bond? Will you think of dropping that particular clause?

Already there is a provision for referendum under article 143; the president, whenever he wants to seek any legal opinion, can refer a matter to the Supreme Court. But not being satisfied with that provision in the Constitution of India, they are bringing an amendment in the Criminal Procedure Code, so that what they are going to do tomorrow is in accordance with that; keeping something in mind, they are proposing this amendment. That is why I have said that this is a bad piece of legislation, it is a politically-motivated legislation, it is not a good legislation.

There is no distinction here between a cognizable offence and a non-cognizable offence. Under the present Bill, anything can be taken as a cognizable offence. What is the reason? When a non-cognizable offence is committed, why do you want to take it as a cognizable offence? Is it out of political motive or out of any real motive of legal justice to be offered to a person? There is a clear distinction between a cognizable offence and a non-cognizable offence. But in the present Bill they are proposing to make a non-cognizable offence also a cognizable

offence, so that any person can be put in jail by saying that he has committed a cognizable offence.

Therefore, I totally oppose this Bill. This is a bad piece of legislation; and there is absolutely no necessity to bringing forward this legislation now.

श्री लक्ष्मी नारायण नायक (खजुराहो) :
माननीया सभापति जी, अभी जो बंड प्रक्रिया संशोधन विधेयक, 1978 रखा गया है, मैं उस का समर्थन करता हूँ। इस में जो विशेष मैजिस्ट्रेटों की नियुक्ति का प्रावधान है—

15.08 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

खाम तोर से जो चलते-फिरते न्यायालयों की स्थापना का प्रावधान है, वह वास्तव में बहुत अच्छा है। अभी मुझ से पूर्ववक्ता इस पर आपका प्रकट कर रहे थे, लेकिन मैं इस को उपयुक्त समझता हूँ, क्योंकि यह जनता के हित में है। जब भी कोई मैजिस्ट्रेट किसी विशेष स्थान पर न्याय के लिये पहुँचेंगे तो वहाँ की जो स्थिति होगी, वह उन को अच्छी तरह से मालूम हो जायगी और इस से उन को न्याय करने में बहुत सहूलियत होगी। इस के लिये खंड 5, धारा 14, उपधारा (1) में जो प्रावधान किया गया है, वह बहुत ही ठीक है।

खंड 8, धारा 24 में केन्द्रीय सरकार और राज्य सरकारें हाई कोर्ट के लिये परामर्श कर के पब्लिक प्रोसीक्यूटर्स को नियुक्त कर सकेंगी—खाम तोर में जिले में या उसके क्षेत्र में—ऐसे पब्लिक प्रोसीक्यूटर्स को नियुक्त कर सकेंगी—मैं इस को उपयुक्त नहीं मानता, क्योंकि इस में अभी भी कई जगहों पर ऐसा दुष्प्रा है कि जहाँ पर जरूरत नहीं है, फिर भी उन की नियुक्ति हो जाती है, जब कि कहीं कोई विशेष जरूरत पड़े तो वहाँ भेजा जा सकता और किसी भी काम को निबटाया जा सकता है। जैसे किसी खदान का मामला हो या ऐसा कोई और झगड़ा हो और जहाँ यह माना जा रहा हो कि दूसरी जगह में भी भेजा जा सकता है तो इसके लिये तो कोई ऐसा प्रावधान रहना चाहिये लेकिन हर जिले और हर क्षेत्र में इसकी नियुक्ति की जाए तो यह ठीक नहीं होगा। इस में ज्यादा खर्च होगा, ऐसा मैं मानता हूँ।

खंड 17, में धारा 198 का संशोधन किया जा रहा है। वह द्विवाहों से सम्बन्धित अपराधों के बारे में है। इस में आपने कहा है कि इस प्रकार के अपराधों की शिकायत

को लेकर किसी पत्नी का रिश्तेदार भी जा सकता है। यह बहुत अच्छा प्रावधान आपने किया है। देखा गया है कि कई पुरुष अपनी स्थिति का, अपने अधिकारों का दुरुपयोग करके दूसरी शादी कर लेते हैं। उस अवस्था में महिला के अधिकारों की रक्षा के लिए यदि वह स्वयं अपने अधिकारों की रक्षा नहीं कर सकती है तो उसके परिवार का कोई सदस्य या रिश्तेदार न्यायालय की इजाजत ले कर बिकायत कर सकता है, मामले को पेश कर सकता है और उस महिला के लिए न्याय प्राप्त कर सकता है। यह जो प्रावधान आपने किया है यह ठीक है और इसका मैं स्वागत करता हूँ।

बराबर इस बात का कहा गया है कि न्याय-पालिका और कार्यपालिका को अलग अलग होना चाहिये। लेकिन इस चीज को कार्य रूप में परिणत नहीं किया जा रहा है। आप 107 और 117 के मुकदमों को ले। ये अनुभागीय अधिकारी के यहाँ पेश होते हैं जिस के पास माल विभाग भी होता है। वहाँ पर इन मुकदमों में लोगों को न्याय नहीं मिलता है, निष्पक्ष न्याय वहाँ पर न मिलने के कारण और समय पर न मिलने के कारण दोनों पक्षों में जो झगड़े पहले से चले आए हुए होते हैं वे और भी बढ़ जाते हैं। फिर भी अनुभागीय अधिकारी के यहाँ ही उक्त मुकदमों को ले कर जाना पड़ता है। बराबर वहाँ पेशियां पड़ती रहती हैं और मामले बिचते रहते हैं। दो दो तीन तीन साल तक ये मुकदमे चलते रहते हैं। वहाँ पर यह नहीं देखा जाता है कि ये झगड़े किस कारण से हुए हैं। मैं चाहता हूँ कि यह चीज अलग होनी चाहिये। माल विभाग के अनुभागीय अधिकारी के पास माल विभाग का प्रशासन भी रहता है, इसके प्रशासकीय अधिकार भी होते हैं और न्याय करने के भी अधिकार होते हैं। इसकी बजह से बहुत बड़ी सुसीबत का सामना जनता का करना पड़ता है। उसको न्याय नहीं मिलता है। कई तरह के संघर्षों में उसको पड़ना पड़ता है। इस वास्ते मैं चाहता हूँ कि इस और आपका ध्यान जाना चाहिये और न्यायपालिका और कार्यपालिका को आपको बिल्कुल अलग अलग कर देना चाहिये।

मैं यह भी चाहता हूँ कि फैसले जल्दी होने चाहिये। फैसले जल्दी न होने के कारण दूसरे मुकदमे भी उठ खड़े होते हैं। एक मुकदमे का फैसला होता नहीं है कि नया मुकदमा कायम हो जाता है। आपने गारंटी दी हुई है कि तीन महीने या अधिक से अधिक छः महीने में किसी मुकदमे का फैसला हो जाना चाहिये। लेकिन इसका पालन नहीं हो रहा है। इसका आपको सख्ती से पालन करवाना चाहिये। जिन कैसों में तीन महीने या छः महीने में न्याय मिल जाना चाहिये या उनको पाँच पाँच साल हो गए हैं लेकिन न्याय नहीं मिला है। मैं चाहता हूँ कि ऐसी व्यवस्था आप करें जिससे जल्दी न्याय

लोगों को मिल जाया करे ताकि दूसरे मुकदमों तैयार न हो सकें।

इस विषय पर मेरी एक ही आपत्ति है और वह पब्लिक प्रोसीक्यूटर के सम्बन्ध में है। बाकी के जो संशोधन रखे गए हैं उनका मैं समर्थन करता हूँ।

PROF. P. G. MAVALANKAR (Gandhinagar): I must tell you, Mr. Deputy Speaker, Sir, at the very outset why I feel prompted to participate in this brief debate of consideration of the Criminal Procedure Code (Amendment) Bill. I do not want to go into all the details of the various clauses nor can I look at these clauses from the lawyer's point of view.

But the point is that this Bill gives me an opportunity to put before you, for what they are worth, some of my broad observations and considerations on this whole business of Indian Penal Code and Criminal Procedure Code, particularly the Criminal Procedure Code which we are now discussing.

My first point is that I feel that whenever we amend—I do not know where the Minister has gone, I suppose Shri Barnalaji is deputising for him. I do not know why this kind of a Bill, the Criminal Procedure Code (Amendment) Bill should be... Sir, I would like the Minister who is deputising, to hear me so that he can at least take the point and pass it on to Mr. Patil without making any mistake in passing.

My first point is that the I.P.C. and Cr. P.C., in this case the Cr. P.C., have been there on the statute book for a long time and for quite a number of decades, there were no amendments and no changes. By and large, they were giving satisfactory results. But, of late, the situation has arisen where-in one finds that even the most important acts are getting frequently amended. I want to ask this question: What is the need for all that? How is it that in the past the need was not felt, and that suddenly, in the last couple of years, this need is

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felt frequently to amend some of these acts which need not be amended frequently? After all, you have put in certain matured experience based on long practice and based on justice considerations and administrative considerations. This is my first point. My second point is this. I feel that whenever amendments come, they come broadly, if not, mainly; from the considerations of juristic angle. As the Minister himself said, the Law Commission has given its report. That is why we are doing it. I respect the Law Commission. The Law Commission consists of very eminent persons. They have a long judicial background and experience. But the point is this. Does the Law Commission have the experience of those who are really in the profession, especially, those lawyers who are not in the appellate cases but in original cases? What about their experience? What about the experience of the accused persons themselves? What about the experience of administrators themselves, and also, of course, the magistrates? That is not taken into consideration.

To me it seems that theoretical, legalistic and jurisdictional point of view is brought to bear upon the matter in greater details and with greater emphasis than what is required. That is why I want to give this caution that it might mean some kind of a tilted amendment of the entire act and not a judicious or a balanced one.

My third point is that when every time such amendments come, I find that this gives more opportunities for the police and the lawyers to make money. I am sorry to say this. (Interruptions) My hon. friend, Mr. Perulekar, being a lawyer, objects to my referring to the word 'lawyers'. If that is so, I cannot withdraw the word but I may emphasise on the word 'police' more than the word 'lawyer'. The fact remains, however, that every time we make amendments of this kind to laws, what happens is that the police gets more and more opportuni-

ties to grab bribes and money from both the parties. That is because you have made such a law that it is possible for them to get more money and not give justice to anyone.

The point is that the lawyers by very definition are supposed to know law while the accused persons, the laymen, are not to know the law at all. Therefore, my point is that as legislators in this august House, we should not legislate in a manner which will compel the non-legal citizens to get involved further and not get justice, but justice only in terms of paying more money, as there would be more opportunities to grab on the part of the lawyers and on the part of the police officials.

Now, if I may mention briefly, the judicial processes must not be delayed and they must not also be terribly expedited. Where is the golden mean to strike? I would like to know that from my esteemed friend, the Minister. He may say that this is a minor bill. But where is the golden mean to strike? If you really want to improve upon the Bill, do that in such a way that the delays would be cut out and too much expeditious disposal also is eliminated. I am not sure whether he has succeeded in that. That is why I thought that I should take this opportunity to express these points.

Now, Sir, in the remaining few minutes at my disposal, may I make these remarks? I agree with the Minister and my hon. friends that this is a minor bill in a way. I am glad of that, and I must congratulate the Minister for having got rid of some of the undesirable or objectionable or controversial amendments in the original Bill which lapsed at the dissolution of the Fifth Lok Sabha. Therefore, he has come with the amending Bill with lesser number of amendments. So far so good. But the point is: has not the time come at all now to look at the problems not in terms of bits and not in terms of a particular loophole to be plugged or that particular loophole to be plugged, but for the need to go into this thoroughly and bring forward a

comprehensive Bill after the considered opinion of his ministry and the Law Ministry and other concerned ministries? I do not know whether the word 'comprehensive' is a good word to use, because these days, everybody seems to use this word in every Bill. The word 'comprehensive' may one day become a historical term; for this is not a politically accepted term which will bring any light now! Any way, if some fuller look is to be done, then let him come with a Bill next year and send that to the Select Committee by putting in all the brains of Parliament on it and after some proper consideration and discussion, we can pass it. And, then let it not be further amended at least for another ten, fifteen or twenty years. That should be the real objective. I object because I find that the whole approach of the Government not only in regard to this Government but also in regard to the previous Government as also the State Governments of the country—is one of legislative ad hocism rather than legislative enactment which has a certain permanent value. If you have an approach of legislative ad hocism, then you will again and again come to this House or to any House in the State Legislatures to amend this Bill or that Bill or this Act or that Act.

I would now draw the attention of the Minister very briefly to the clauses. On page 16, Clause (2) the Minister has given notes for the consideration of the House. I want to ask: this is a feeling in my mind—if I am wrong in the suspicion or feeling please say so—while reading his notes on Clause 2. Is there some kind of effort on the part of Government that by this amendment it wants to bring in the idea of special court in this form? Why do you want to form such a court? I want to know that. I hope you will reply. Again on page 16 of this Bill, while going through his notes, it seems that there is more than one district and jurisdiction. He says that the powers will be given to empower the State Government to define the jurisdiction and extend it to the whole of

the State or any part thereof in the case of the special courts, the jurisdiction of the judicial magistrate. I am quoting from those notes. On reading, this paragraph, the impression given perhaps is this: That is to bring in the idea of a special court. I would like you to clarify this. I know that the reference on the constituting a special court is already in the Supreme Court. In the meantime, I want the Government to come with these smaller amendments unnecessarily and thereby leave the whole fabric of law in a loose way or in an unprincipled way.

Having said this, my next point is about clause 21. He will please refer to page 19 of the Bill. I want to ask him: why has the language clause been amended? He said that the evidence will be in the language of the court. Now he says that besides the language of the court, there will also be English or Hindi. I believe that the language of the court is the language of the majority of the people of that very State. He says there are difficulties because there is more than one language in one particular court. Even if here is more than one language in a particular court, surely, the language of the court is the language spoken by the majority of the people. I want to ask him one clarification. Does this mean that if a person wants to give his evidence in his own language, which is the language of the court, will he be debarred from doing so? Will he be compelled to give evidence in English or in Hindi? I can understand if the language of the court, for example, is Tamil or Gujarati or Marathi or whatever it may be, and suppose some witness knows Sindhi or any other language, then this provision, I understand, will give him the option of the English or Hindi language. Is that correct? But if this language happens to be the language of the court, will he be compelled to give evidence either in English or in Hindi? Will this not put him to hardship and harassment? I hope this Bill is not seeking to make this. As

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regards Clause 13 I think you want to increase the time limit from 60 to 90 days for the police to make the necessary inquiries and report about the people who are alleged to have committed heinous crimes. But, where is the guarantee that even after this thirty days' extension, the police officials will not come forward with the same plea that they have not completed the enquiry? This amendment is not able to plug that loophole. That is my difficulty. I do not know whether we can do it now; perhaps we may do it later on; but, merely extending the time limit will not give him the necessary satisfaction which he has in mind. I agree that 60 to 90 is good. But merely making it 90 is not good, unless you also direct, by some kind of a rule or a legislative enactment, the police officers to complete the enquiry within the prescribed time-limit of 90 days.

Lastly, Clause 13(b) has certain objectionable features. In the original Act of 1973, one finds on page 55, Section 167(b). It says, I quote:

"No magistrate shall authorise detention in any custody under this section, unless the accused is produced before him."

Now, the hon. Minister comes forward to this House and tells us today that he wants to change this amendment. He says, if the accused is not brought in person, the reasons can be given in writing and that should be sufficient. Sir, this would be a negation of justice. After all, the accused person has a right to be brought in person himself before the magistrate. Otherwise the police will get one more handle than what they deserve and there will be further chance of intimidation and harassment to the accused. We do not know whether he is a genuine accused or a fake accused. Therefore, Sir, this sub-section (b) should be so amended that this basic right of getting justice is not denied to him. That is what I wish to submit in this connection.

I am grateful to you, Mr. Deputy Speaker, for allowing me the time. There is only one word in conclusion which I wish to say. The actual experience of those who are engaged, and are working, in law courts should be properly viewed and a new amendment should be brought in, which will consider not only that angle but also the administration's experience in this regard. Then again one sees and hears of considerable political influence at the lower levels of judiciary as also in the police administration. Let us not deny these facts. I would therefore request the hon. Minister to look at this phenomenon and see how a legislative enactment can reduce to the minimum, if not eliminate altogether, this kind of political interference in the judicial and other administrative spheres. The point is that whatever we do should be in conformity with the basic principles of justice and sound tenets of administration. If that is done, I am sure, the legislation and its implementation will be more advantageous to the citizens concerned in getting justice and fair-play.

श्री बिलायत प्रसाद बाबय (सहरसा)

उपाध्यक्ष महोदय, मैं श्री मावलंकर के साथ सहमत हूँ कि कम से कम सी०आर०पी०सी० और आई०पी०सी० जैसे कानूनों में इतनी जल्दी जल्दी बेंज नहीं होना चाहिए। 1887-88 में ब्रिटेन ने सी०आर०पी०सी० बनाया था, और 1974 तक उसमें कोई परिवर्तन करने की जरूरत महसूस नहीं हुई। 1974 में एक नया सी०आर०पी०सी० बनाया गया, और उसके चार साल के अन्दर मिनिस्टर साहब एक और एमेंडिंग बिल ले आये हैं। इतने मौलिक कानून में इतनी जल्दी एमेंडमेंट लाने की जरूरत क्यों पड़ी, इसपर हमें गंभीरता से विचार करना चाहिए।

उपाध्यक्ष महोदय, कल आपने यह रिमाक किया था कि मेरे एमेंडमेंट खाली पब्लिक प्रोपीनियन एलिमिनेट करने के लिए होते हैं। दूसरे बिलों के बारे में मेरे इस प्रकार के एमेंडमेंट अनुपयुक्त हो सकते हैं, लेकिन मंत्री महोदय सी० आर० पी० सी० में जो एमेंडमेंट लाये हैं, उसको निश्चित रूप से या तो जायंट सिलेक्ट कमेटी में भेजना चाहिए या इसको जनता की राय प्राप्त करने के लिए मर्कलेट करना चाहिए कि जो एमेंडमेंट लाया जा रहा है, वही काफी है, या इसमें और किसी संशोधन की भी जरूरत है।

इस बिल में सैक्शन 107 में संशोधन किया गया है। 1974 के सी०आर०पी०सी० में यह प्रावधान था कि जिन पर सैक्शन 107 लगाया जायेगा, उन्हें जमानत नहीं देनी पड़ेगी, वे पर्सनल बांड देने पर रिलीज कर दिये जायेंगे। अब मंत्री महोदय कह रहे हैं कि यह जो संशोधन किया गया था, वह गलत हुआ और पहले की व्यवस्था होनी चाहिए। सवाल यह है कि सैक्शन 107 किन लोगों पर लगाया जाता है। गांवों में जमीन-मालिक 107 चलाते हैं पट्टेदारों और मजदूरों पर, और शहरों में कारखानों के मालिक चलाते हैं अपने मजदूरों पर। फिर अफसर 107 चलाते हैं गांवों में जो अफसर की घूसखोरी का विरोध करता है उस पर। मैं अपने यहां की बात आप से निवेदन करना चाहता हूं। 20-25 दिन पहले मैं अपने क्षेत्र में गया था। हमारे यहां चकबन्दी की प्रोसेस चल रहा है। चकबन्दी में व्यापक पैमाने पर घूसखोरी चकबन्दी अफसर कर रहे हैं। कुछ किसानों ने विरोध किया कि घूसखोरी इतनी नहीं होनी चाहिए, जनता का राज है। आप को सुन कर आश्चर्य होगा कि जिन लोगों ने विरोध किया, गांव के लगभग 100 ऐसे आदमियों पर चकबन्दी पदाधिकारी ने 107 का मुकदमा कर दिया और उन को जेल में भेज दिया। अभी तक यह प्राविजन है बांड देने पर नौग निकल जायेंगे। अब मिनिस्टर साहब कहते हैं कि आप को दो जमानत भी देनी पड़ेगी। जमानत कोर्ट में कैसे ली जा रही है? कोर्ट में जब जमानतदार का प्रश्न आता है तो जो मैजिस्ट्रेट जमानत लेते हैं वह कहते हैं कि जमानतदार के पास जमीन है या नदी और जमीन है तो अप-टु-डेट मालगुजारी की रसीद कटायी है या नहीं? मैं मंत्री महोदय से कहना चाहता हूं कि जब गांव के गरीब पर जमीन-मालिक मुकदमा चलाता है 107 का तो गांव के गरीब लोग तो बिना जमीन के होते हैं और गरीब लोगों की जमानत लेने के लिए कोई जमीन मालिक तैयार नहीं होता। इस का मतलब होगा कि गांव का जो बटाइदार है या कारखाने का जो मजदूर है वह जेल में सड़ता रहेगा। उस को कोई जमीन वाला जमानतदार नहीं मिलेगा और वह जेल से नहीं निकल सकेगा। तो एक तो इतना अनुचित अमेंडमेंट यह लाया जा रहा है।

इतना ही नहीं, उपाध्यक्ष महोदय, आप ही तो हम लोगों को सिखाते थे कि 107, 109 और 110 सी०आर०पी०सी० की गुंडा दफाएं हैं। बदमाशों से निपटने के लिए ये दफाएं ही बदमाश हैं। आप भी ऐसा ही कहते थे। आज तो जरूरत इस बात की है कि सी०आर०पी०सी० में से 107, 109 और 110 दफाएं खत्म कर दी जायें : 109 किस पर चलाया जाता है? 109 और 110 तब चलाया जाता है जब कोई नौजवान शहर में घूमता रहे और उस से पुलिस पूछे कि तुम्हारी रोजी-रोटी का क्या टिकाना है, वह रोजी रोटी का एक्सप्लेनशन न दे सके तो फिर उस को पुलिस जेल में बन्द कर देती है। जिस देश में सैकड़ा पीछे 60 आदमी गरीबी रेखा के नीचे

हों, 10 करोड़ नौजवानों जहां बेकार हों, जिन की रोजी रोटी का कोई साधन न हो, उस देश के स्टूडेंट्स बुक पर 107, 109 और 110 जैसी गुंडा दफाएं एक मिनट भी नहीं रहनी चाहिए। इसलिए मैं मंत्री महोदय से निवेदन करूंगा कि इस अमेंडमेंट बिल को स्थायित्व कर के इसे पब्लिक प्रोपीनियन के लिए भेजना चाहिए और नहीं तो फिर गंभीरता से सोच कर के एक काम्प्रोमिस अमेंडमेंट बिल इस के लिए बड़ा लावे जिस में 107, 109 और 110 न हो ताकि गरीब का जो शोषण होता है और अफसरों के जुर्म के खिलाफ जो कार्यकर्ता बोलता है उसको जेल की हवा खिलायी जाती है, ऐसा कोई मौका न हो, इस तरह का अमेंडमेंट उस में लाना चाहिए।

सैक्शन 167 में भी संशोधन लाया जा रहा है। अभी जो नया सी०आर०पी०सी० बना था उस में था कि 60 दिन के अन्दर किसी कागिनेजस आफेंस का इन्वेस्टिगेशन पुलिस खत्म न करे तो वह जेल से निकल जायगा। अब मिनिस्टर साहब को, चार वर्ष के बाद ही अनुभव होने लगा है, इन के पुलिस अफसरों ने रिपोर्ट की है कि हम 60 दिन में इन्वेस्टिगेशन नहीं कर पाते हैं, इसलिए 90 दिन तक हमें जेल में रखने का मौका दिया जाय। जो एमर्जेंसी में जेल गए हैं वह जानते हैं कि आज हिन्दुस्तान की कोई ऐसी जेल नहीं है जो ओवरक्राउडेड न हो अन्डर टायल प्रिजनर्स से। तो एक तरफ तो जरूरत है कि जेलों में ओवर क्रॉडिंग न हो, उसके लिए जेल तो और हमारे मिनिस्टर साहब बना नहीं सकते हैं क्योंकि पैसे की कमी है लेकिन ओवर क्रॉडिंग न हो उस के लिए तो इन्मेजाम कर सकते हैं। मगर ओवर क्रॉडिंग कैसे और हो ऐसा अमेंडमेंट सी०आर०पी०सी० में करने जा रहे हैं। इसलिये मैं कह रहा हूं कि जो 90 दिन का प्राविजन है कि 90 दिन तक उसे जेल में सड़ाया जाय, यह अनुचित है, गैर-नानुनी है और इसे किसी भी हालत में मिनिस्टर साहब को नहीं लाना चाहिए। यदि यह मालूम पड़े कि 90 दिन का समय पुलिस अफसर, इन्वेस्टिगेटिंग अफसर के लिए कम है तो पुलिस अफसरों की, इन्वेस्टिगेशन अफसरों की संख्या बढ़ानी चाहिए। जनता तो अनन्यसरी जेल में सड़ने का आपका कोई अधिकार नहीं है।

अभी एक यह प्राविजन है कि दफा 107 या किसी और दफा में किसी के पास अगर जमानतदार नहीं है तो मैट्रोपोलिटन जुडिशियल मैजिस्ट्रेट या जुडिशियल मैजिस्ट्रेट को यह अधिकार है कि उसको वे छोड़ दें लेकिन अब तक आप कहते हैं कि केवल डिस्ट्रिक्ट मैजिस्ट्रेट को ही यह अधिकार दिया जाये। यदि कोई जमानतदार पेश नहीं करता है और जेल में बन्द है तो डिस्ट्रिक्ट मैजिस्ट्रेट ही उसको छोड़ सकेगा। आज बी०डी०प्रो०या कोई दूसरा अफसर घूसखोरी करता है, उसके खिलाफ पोलिटिकल पार्टी के लोग बोलते हैं, उसका विरोध करते हैं तो दफा 107

[श्री विनायक प्रसाद यादव]

उनपर धाया कर दी जाती है और उनका जमानतदार नहीं मिलता है और यह मामला जूडिशियल मैजिस्ट्रेट की नजर में आता है तो वे उनको छोड़ देते हैं। अब यह कहते हैं कि जूडिशियल मैजिस्ट्रेट नहीं, डिस्ट्रिक्ट मैजिस्ट्रेट को ही यह अधिकार दिया जाये कि जमानतदार न पेश करने पर उसको छोड़ा जा सकता है या नहीं। अब वो०डी०घो० के खिलाफ कोई अदालत में जायेगा तो क्या डिस्ट्रिक्ट मैजिस्ट्रेट उसको छोड़ सकता है? इसलिए मैं समझता हूँ यह बिल्कुल गलत अमेन्डमेंट है। मैं आपके द्वारा मन्त्री जी से तथा आपसे भी निवेदन करता हूँ कि इतनी जल्दी में जो यह अमेन्डमेंट लाया जा रहा है इसके लिए सरकार को कुछ टाइम लेना चाहिए। 1974 के क्रिमिनल प्रोसीजर कोड पर थोड़ा और अनुभव प्राप्त करके तथा जनता और वकीलों की राय जानकर यहाँ पर अमेन्डमेंट बिल लाया जाना चाहिए। अभी इस बिल को पाम करने की कोई जरूरत नहीं है।

इन शर्तों के साथ आपको धन्यवाद देते हुए मैं समाप्त करना हूँ।

*SHRI A. ASOKARAJ (Perambur): Mr. Deputy Speaker, Sir, at the very outset, I would like to say that a Bill of this nature—the Code of Criminal Procedure (Amendment) Bill—intended to maintain and sustain law and order in the country should have been brought in after intensive study of all the aspects of law incorporated in it. Whether the legal provisions when they are implemented would lead to public good does not seem to have been taken into consideration while formulating this legislation. This has been prepared in a casual manner and introduced here in a hurry.

I would refer to the establishment of Special Courts. I want to know for what crime and for what reason the Special Court is sought to be established. I would like the hon. Minister to explain this provision explicitly without beating about the bush. As my hon. friends who preceded me were apprehensive, I am afraid that this Bill inherently and instinctively invites political interference. The hon.

Minister must safeguard against unwarranted political interference in the implementation of this Bill.

In our country I need not say that 70 per cent of the population is illiterate and they become the instant victims of overzealousness of the Police. This Bill clothes the Police with more powers. There is the possibility that the Police may go crazy with excessive powers and may misuse them for harassing the poor people. The Janata Party leaders talk frequently about their Emergency experiences. I would like to warn the Janata Government that it should not pass on the Emergency experience to posterity with a law of this nature.

The primary motive of a Bill is to permit the law-abiding citizens to live peacefully. I suggest that legal cells should be established throughout the country so that the people are able to avail of the benefits from salutary provisions of law. The Central Government should extend free legal aid facility to the common people and if that is not possible, it should give financial assistance to the States like Tamil Nadu where the Government is endeavouring to give free legal aid to indigent people.

Sir, it is common knowledge that the litigants languish for long years in their legal battles and both the parties become paupers before the judgment is delivered. Justice delayed is justice denied is the common adage. There must be prescribed time-limit for disposing of the cases and the laws must also not be so cumbersome as to continue the cases endlessly.

Sir, I would refer to another abominable feature of this amending Bill. Hindi is sought to be imposed through back-door. Whatever legislation is thought of by the Central Government, the Central Government is keen to make it an instrument for imposition of Hindi. There is no need for Clause 21 at all in this Bill. On behalf of my

*The original speech was delivered in Tamil.

party, the All India Anna D.M.K. I condemn outright this clause 21 which seeks to impose Hindi. A language is to be learnt naturally and not compulsorily. The Centre has been trying to drive away English from our country. But in this Bill there is the contradiction that the evidence can be taken both in Hindi and English. While I appreciate this sudden solicitude for English, I suggest that Hindi should not be imposed through Clause 21 of this Bill. It must be deleted.

Sir, I would also like to refer to the provision which says that a panel of persons would be prepared by the District Magistrate in consultation with the Sessions Judge for the purpose of appointing Public Prosecutors and Additional Prosecutors. It must be borne in mind that the District Magistrate and the Session Judge are human beings with particular predilections and favouritism can get a free-play in the scheme of things as suggested. We should have a panel of judicial experts to suggest men of experience for these posts. The hon. Minister should look into this and modify this provision accordingly.

Sir, laws like Code of Criminal Procedure or Indian Penal Code strike terror in the minds of common people. Their very name evokes feeling of fright in them. The Central Government must establish legal cells throughout the country to explain the provisions of such laws meant for the welfare of the people. Before I conclude, I would refer to the provision which seeks to introduce Hindi through legal back-door. This provision must be deleted.

With these words I conclude.

SHRI B. C. KAMBLE (Bombay South-Central): Mr. Deputy Speaker, Sir, I would like to make a few observations with regard to the provisions of this Bill. So far as Clause 3 is concerned, what is the nature of the special courts? So far as territorial jurisdiction is concerned, the local area is defined in an absurd manner, which

includes area of the whole of the State or part of the State. We have yet to come across a court whose territorial jurisdiction on is for the entire State or part of the State. Therefore, I would like to suggest to the hon. Minister concerned and the Law Ministry that so far as definition of the local area is concerned, it is defined as if 10 paise mean and include Re. 1. The definition of the local area is very ridiculous. So far as the kind of cases that are contemplated before such a court are concerned, it is like this, that is, it has the exclusive jurisdiction, that is to say, no other court except the court which is contemplated in Clause 3 alone will have the jurisdiction. Therefore, it has an exclusive character.

Suppose an accused person who is being tried before such a court makes an application that this court is not impartial and therefore his case should be transferred. Where will you go? Therefore, there will be several difficulties. If the jurisdiction is confined to one single exclusive court which has territorial jurisdiction of the entire State and if any accused person complains that the court is not impartial, then we have to face so many difficulties.

So far as the nature of cases is concerned, whether the nature of cases is to be considered by the High Court. It is true that so far as Clause 3 is concerned, there is a provision to consult the High Court. I would like to know from the Government what does it mean by consultation? Whether consultation will mean that the High Court will be consulted; and irrespective of whatever be the opinion or advice that may be given by the High Court, it will be overridden and Government will take steps as it likes. Therefore, on this point also, there should be some clarification from the hon. Minister.

As far as Clause 8 is concerned, I am submitting on constitutional principle that the Union Government or the Central Government should not inter-

[Shri B. C. Kamble]

fere with the State Judiciary. Why do you want to appoint the public prosecutor at the district level? I can understand the appointment of a prosecutor, as far as the High Court is concerned. But when you go down, you will find that the State has its own judiciary. the State has its own Legislature, the State has its own executive and so on. So is the case with the Union Government. The Union Government has its own judiciary. Therefore, do not go down to district level and make appointment in the State judiciary.

Thirdly a point has been raised by different hon. Members and would like to add only one thing, that is, there is a great principle of *habeas corpus*—an accused person must be produced before a court. During the Emergency, this principle was suspended and I was one of the persons who fought about it. Our Party had made a suggestion by a resolution saying that at least this should not be suspended. That is a very salutary principle. It means the accused person, whether dead or alive, must be produced before the court. If this provision is passed, there will be numerous cases where the police will torture them and they will give excuses and get reasons recorded why the accused has not been produced before the court. Therefore, this is going to be a very nasty provision and therefore I would plead with the government to drop it completely and do not equate themselves with the emergency provisions which were made.

Lastly, there are certain good provisions and I welcome them. There is an amendment to section 182 to enable a complaint by a woman to be made at the place of permanent residence. But I have to say that the hon. Minister has not taken this opportunity to make a provision for free legal aid which is talked about so much, to which publicity is given. The Constitution has been amended and this government has concurred with the previous government. Even then in such a Bill as this, which is a procedural matter, it would have been appropriate to

make such a provision but it has not been made. I should like to get an assurance from the hon. Minister that soon they would come with provision for free and effective legal aid.

SHRI PABITRA MOHAN PRADHAN (Deogarh): I rise to support this Bill because the hon. Minister has brought certain amendments in this Bill which were desired by the hon. House and also by different political parties during the last two years, as I remember. The Indian Panel Code is Macaulay-drafted. The British government made the law on the basis of the law which was itself based upon the Roman law. Again the Roman law was based upon the law of the city states of Rome where only a few thousands of people were living; they were disciplined persons, social persons and offenders were only 5 to 7 per cent and the rest were very good, law abiding citizens. The law which was based upon the law of the city states of Rome has been made the law of India, of whose population 80 per cent are bad, 10 per cent are medium and 10 per cent may be good. Such a law is quite unsuitable for the Indian society. I therefore suggest that this Bill be passed but a comprehensive amending Bill may be brought in this House so that it could suit Indian conditions. There was criticism by one hon. Member that there would be one set of state government pleaders and another set of central government pleaders and that it will create some anomalies in the department and in the cases. I think it will not create any anomalies. Why did the government think of having a duplicate system of pleader in the state are as? Of late there are party governments and the offenders belonging to the parties also approach the parties, please them, arrange benefits, come to the state governments and the central governments through various agencies and hence some times justice is not done properly to the parties involved in the litigation.

So, this system has been incorporated into the Bill. If there were two sets

of pleaders, the chances of doing injustice by the State will not be there because there is a counter check on the State pleader and *vice versa*. So, it is a very good thing for the independence of the judiciary on the one hand and for giving justice to the people on the other hand.

There is another criticism by one hon. Member that this Bill has been brought forward to suit the mal-intentions and political desires of the ruling party. I think, the hon. Member by saying this has done injustice to the Government which has brought forward this Bill with all good intentions.

There are so many defects in the Indian Penal Code. One of the defects is that in Government cases, the prosecuting officer does not bring witnesses for years together with the result the other party is put to lot of untold misery and difficulty. The Government officer gets his pay on 1st of every month. So, he does not care. It is really a pity that even after 30 years of independence, no Government is taking care of this.

There are many other defects also. In Orissa, there was one case. A man killed his step-brothers and step-mother in broad day light in a village. Everybody had seen it. But because of certain procedural defects, the man was set free by the High Court and he came to his village from the district headquarters in a procession by beating of drums, blowing bugles and conch; by spending lakhs of rupees. Of course, the case was decided by the High Court at Cuttack but he started the procession with beat of drums from the district headquarters which is at a distance of 6 to 7 miles from his village. The result was that the judiciary was very much decried by the people there. They said that the man had killed 7 to 8 persons and still he was set free and he came in procession by beating of drums. These are some of the defects in the Bill. So, this Macaulay-drafted Act is not suitable to our conditions. Many of the pro-

cedures and many of the matters that are written there, must undergo change.

With these words, I conclude my speech.

16.00 hrs.

MR. DEPUTY-SPEAKER: According to the Order Paper, we should now take up the discussion on Floods. But I really cannot understand it, because there are only 25 minutes left for the discussion on Floods. So, if we take up that discussion now we will have to adjourn the House at 4-30 p.m.

श्री यमुना प्रसाद शास्त्री (रीज्य) : इस के लिए समय बढ़ाया जाये ।

MR. DEPUTY-SPEAKER: So, my suggestion is that we may continue the discussion on the Bill. How much time will the Minister take?

SHRI S. D. PATIL: I will take 20 minutes.

MR. DEPUTY-SPEAKER: There is only one more Member left to speak, Shri Balbir Singh. So, this Bill will take another half an hour. May be, we can finish this Bill and then take up the discussion on floods which can continue for the whole day.

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): We have to move our amendments. There are about 30 amendments.

MR. DEPUTY-SPEAKER: You are not going to speak on all the amendments. Further, where are the 30 amendments? There are only three amendments here.

SHRI BAPUSAHEB PARULEKAR: I have given notice of 18 amendments on this Bill.

MR. DEPUTY-SPEAKER: So, I suppose it is the decision of the House that we will finish this Bill by 4-30 p.m. and then take up the discussion on Floods.

बीरबोर बख्श र सिंह (होशियारपुर) : उपाध्यक्ष महोदय, जब यह बिल हाउस में आया, तो मैंने समझा कि यह इन्दिरा गांधी का बिल था गया है। मैंने कोई मजाक की बात नहीं कही है। उपाध्यक्ष महोदय, आप भी डा० राम मनोहर लोहिया के साथ रहे हैं। मैंने पहले उन्होंने यह धावाज उठाई थी कि सेक्शन 107 और 151 को क्रिमिनल प्रोसेजर कोड से निकाल देना चाहिए। 1974 में इसमें थोड़ी सी तरोमोम की गई कि शोर्टी, जमानत, नहीं होगी; सिर्फ मचलका, पर्सनल बांड, हो जायेगा। उसके बाद इमर्जेंसी लग गई। उसके दौरान सारे हिन्दुस्तान में बहुत ज्यादा तादाद में लोग सेक्शन 107 और 151 में पकड़े गये। मेरे पास फिगरें नहीं हैं, लेकिन मैं कह सकता हूँ कि पंजाब में जितने आदमी पकड़े गये, वे सब सेक्शन 107 और 151 में पकड़े गये। उस वक़्त के कानून के मुताबिक जो आदमी पकड़े गये थे, उन्हें पर्सनल बांड पर छोड़ देना चाहिए था। लेकिन कोर्ट्स ने वह कानून हाने के बावजूद कहा कि नहीं शोर्टी चाहिए, पचास पचास हजार व्यय की दो तीन शोर्टीज होने पर रिलीज किया जायेगा। आप अन्दाजा लगाइये कि कानून कहता है कि जो भी आदमी सेक्शन 107 और 151 में पकड़ा जायेगा, उसके लिए शोर्टी की जरूरत नहीं है, उसे सिर्फ पर्सनल बांड पर छोड़ दिया जायेगा, लेकिन इसके बावजूद पंजाब में जितने भी आदमी पकड़े गये, एक्सीक्यूटिव मैजिस्ट्रेट ने उनसे शोर्टी डिमांड की। मैंने जेल से हाई कोर्ट को लिख कर भेजा कि इस कानून पर किस ढंग से अमल किया जा रहा है। हाई कोर्ट ने मुझे रिलीज कर दिया और मेरे खिलाफ प्रोसीडिंग्स को ब्रेक कर दिया। वह आर्डर एक हफ्ते के बाद पहुंचा। आप अन्दाजा लगाइये कि हाई कोर्ट का आर्डर आ जाये और वह आर्डर न पहुंच सके। और वह आर्डर पहुंचने पर भी मुझे रिलीज नहीं किया गया। मुझे गेट के बाहर पकड़ा गया था, और एक दूसरे थाने में ले जाया गया और कागज़ान में शा किया गया कि मुझे छोड़ दिया गया है। लेकिन मुझे सीमा में डोबाया पकड़ा लिया गया।

16.04 hrs.

[SHRI N. K. SHEJWALKAR in the chair]

मेरा कैस चंडीगढ़ हाई कोर्ट के रिकार्ड में कैसिज दर्ज है। हाई कोर्ट का फैसला होने के बाद भी जितने आदमी सेक्शन 107 और 151 में पकड़े गये थे, जिन्हें गवर्नमेंट को जेल में रखने का हक नहीं था, जिन्हें पर्सनल बांड पर छोड़ देना चाहिए था, उनमें से एक आदमी को भी नहीं छोड़ा गया, और पर्सनल बांड के बजाय उन की थ्योरिटो को प्रोसीडिंग्स लगातार हाई कोर्ट के फैसले के बाद भी चलती गई है। आप को पता होगा कि 1940 में जब महात्मा गांधी ने इंडियन सिविल डिस्ओबेडियंस मूवमेंट चलाया था, उसमें पहले सत्याग्रही आचार्य विनोबा भावे थे। जब

बहुत से लोग गिरफ्तार हो गए तो एक कैस यह हाई कोर्ट में चला गया। वहां कहा कि इस आदमी ने लिख कर दिया था कि मैं सत्याग्रह करूंगा लेकिन इसने सत्याग्रह तो किया नहीं, गवर्नमेंट ने इसे पहले ही गिरफ्तार कर लिया। अब हाई कोर्ट में उस कैस का फैसला हुआ और हाई कोर्ट ने कहा कि एक आदमी लिख कर देता है कि मैं सत्याग्रह करूंगा, वह कल की नहीं करता है तो जब तक यह सत्याग्रह न करे तब तक उस को गिरफ्तार नहीं किया जा सकता। इस तरह से जो लोग पकड़े गए हैं वह नाजायज हैं। यह अंग्रेज का राज था। अंग्रेज के राज में एक हाई कोर्ट ने जजमेंट दिया और मारे हिन्दुस्तान में जितने सत्याग्रही उस मूवमेंट में पकड़े गए थे वह सब के सब रिलीज कर दिए गए। यहाँ पंजाब की हाई कोर्ट हलिंग देती है। उस के बाद भाभा जेल में हाई कोर्ट के जज आए। उन के सामने कहा कि यह कैस है, इस पर हाई कोर्ट की जजमेंट हो चुकी है और मेरे अपने कैस में जजमेंट हुई है, उस के बाद भी जेलों में 107 और 151 के कैसेज पड़े हुए हैं और हजारों की तादाद में पड़े हुए हैं। उन्होंने कहा कि हम जा कर देखेंगे। नौ नौ महीने और साल साल भर के कैसेज पड़े हुए थे हालांकि 6 महीने में ज्यादा रख हो नहीं सकते इस कानून के अंदर। अगर कोई जमानत नहीं मिलती है तो वह डिटेन्शन में 6 महीने से ज्यादा नहीं हो सकता। लेकिन एग्जीक्यूटिव के किसी आफिसर ने इस का कोई नॉटिस नहीं लिया। तो यह कानून जब मौजूद था तब सरकार ने या एग्जीक्यूटिव ने उस की कोई परवाह नहीं की। आप पेश करने की बात कहते हैं। मुझे फिरोज़पुर से जामशेर लाया गया अदालत में पेश करने के बजाय जब कि जालंधर जेल में ही प्रोसीडिंग्स थी। रात में मोटर खराब हो गई। लैट हो गए। मैजिस्ट्रेट माहब जिन के आगे कैस था वह इंजिनार कर चले गए और उन्होंने अपना आर्डर लिख दिया कि मुझे पेश किया गया और तारीख दी गई। डाकुमेंट एक्जिडेंस है कि मैजिस्ट्रेट वक़्त से पहले चले गए, मुझे पेश नहीं किया गया लेकिन उस के बावजूद भी मैजिस्ट्रेट ने फाइल पर लिख दिया कि मुझे पेश किया गया और मैंने तारीख दे दी। यह कानून मौजूद होने पर इस कानून की इस तरह से धजिया उड़ती है तब जब आप ने यह फैसला कर दिया कि मुलजिम पेश नहीं होगा, तब क्या हाल होगा? आज भी आप एक्वायरी करे तां बेशुमार कैसेज में मुलजिमां को पेश किया बगैर, अदालत के अंदर उन को लाए बगैर तारीख डलवा ली जानी है। मार पीट कर के जिम की हालत खराब कर दिए होने हैं उस को पेश नहीं किया जाना और यह कह कर कि यह मुलजिम पेश हो चुका, इस की तारीख डाल दी जाय, तारीख डलवा लेते हैं। इस तरह के एक नहीं हजारों कैसेज हैं। रिसेंटली दो तीन कैसेज में जहां पुलिस ने गलत तरीके से लोगों

को बन्द कर रखा था, हम ने हाईकोर्ट में जा कर कहा, और वहाँ भीके पर हाई कोर्ट का जो आदमी मकरें किया गया उस को ले गए, वहाँ पुलिस कस्टडी में वह आदमी पाए गए और फिर बाकायदा मुकदमा चला। तो इस ढंग से जब चल रहा है तो आप कानून को फिर उसी पुरानी लाइन पर लाना चाहते हैं जिस के खिलाफ हम न प्रश्नों के राज में लगातार लड़ाई लड़ी और ईदिरा गांधी या उस से पहले लाल बहादुर शास्त्री और पंडित नेहरू के राज में, पिछले तीस साल लगातार हम ने लड़ाई लड़ी कि यह 107 और 151, ये दफाएं के नाम पर धब्बे हैं और किसी को इन के अंदर गिरफ्तार न किया जाय। होता कौन है गिरफ्तार? जो गरीब आदमी है वह पुलिस में रिपोर्ट करने जाता है तो बजाय इस के कि उस की रिपोर्ट के आधार पर उस बड़े आदमी के खिलाफ ऐकशन लिया जाय, वह कहते हैं कि अच्छा चलो, ठीक है, हम दोनों को गिरफ्तार कर लेते हैं। जो रिपोर्ट करने गया उस को ही बे गिरफ्तार कर लेते हैं और फिर कल की प्रेशर डालते हैं कि तुम अपनी कम्प्लेंट वापस करो, नहीं तो यह मुकदमा चलेगा। तो मैं तो समझता था कि आप यह अमेंडमेंट ला रहे हैं और हमें तो बड़ी खशी हुई थी, त्रिग दिन ला मिनिस्टर, श्री जानि भूषण ने इस सदन में कहा था कि हम जल्दी से जल्दी माल भर में ऐसा कानून ला रहे हैं कि तीन महीने के अन्दर लोअर कोर्ट्स में, 6 महीने में सेगन्स कोर्ट में और एक माल में हाई कोर्ट में हर मुकदमे का फैसला हो जायेगा तब हम समझते थे कि कोर्ट्स में जो तमाम मुकदमे पेंडिंग है उनका फैसला जल्दी हो सकेगा। ला मिनिस्टर ने इसी हाउस में यह गार्यारंज की थी इस बात का ज्ञान किया था और तब हमने तालियां बजाई थीं। हमने सोचा था कि जनता पार्टी अपना वायदा पूरा करने के लिए कि इसका जल्दी मिलना चाहिए, कदम उठा रही है। अगर ईसाफ जल्दी नहीं मिलता है तो इसका का कोई मतलब नहीं रह जाता है। मेरी अपनी नॉर्मिस में ऐसे कैमरा है। एक आदमी का कैमरा आज भी इलाहाबाद हाईकोर्ट में पड़ा हुआ है। एक फौजी अफसर है, वे बेचारे जीन भी गए हैं, उनका पैसा मिलना है, लेकिन आज दस माल से ऊपर हो चुका है उनका कैमरा पेंडिंग है। जिस आदमी को पैसा मिलना है वह बड़ा है उगने मरने के बाद अगर उसके बच्चों का पैसा मिला तो उनका क्या प्रायदा होगा क्योंकि वह खुद उस पैसा को इस्तेमाल नहीं कर सकेगा? अगर आप चाहते हैं कि लोगों को मुस्ता इसाफ मिले, जल्दी इसाफ मिले, उगमें कोई रुकावट न हो, गरीब आदमी को बिना पैसा खर्च किए ठीक समय पर इसाफ मिले और सरकार उनके लिए पैसा का इंजाम करे तो हम किसी का अगर कोई कानून आना उसके लिए हम गुबारकबाद देने और पब्लिक में जाकर छाती बजा कर उसको कह सकते। जनता पार्टी ने इमरजेंसी के खिलाफ लड़ाई लड़ी थी और लोगों को आजाद किया—यह बात हम लोगों में कहते हैं लेकिन आज आप वही चीजें दूसरी शक्ल में लाना चाहते हैं। अगर कोई व्यक्ति किसी ढंग से गड़बड़ करता है तो उसके लिए आप खास कदम उठा सकते हैं, आपने स्पेशल कोर्ट का मामला सुप्रीम कोर्ट को रेफर

किया है लेकिन सारे केसेज के लिए स्पेशल कोर्ट नहीं चाहिए। जिन्होंने देश के कानून का सत्यानाश किया है, सबिज्ञान का सत्यानाश किया है और जिन्होंने देश में एनाकी फैला दी थी उनके खिलाफ आप कोई कानून लाते तो सारा मुल्क और यह हाउस आपके साथ होता लेकिन उनको पकड़ने की आपने कोई बात नहीं की है।

समापति महोदय : अब आप समाप्त कीजिए।

बौधारी बलबोहर सिंह : श्रीमती इदिरा गांधी ने कहा है कि मैंने एक हुकम से हजारों आदमी अन्दर कर दिए थे लेकिन यह सरकार पीने दो साल में एक को भी अन्दर नहीं कर सकी। वे बड़े जोरदार लपकों में कह रही हैं फिर कहा है आपका कानून? अभी कल बिहार में आपके मिनिस्टर पकड़े गए, उनको मारा गया, मेम्बर पार्लियमेंट को मारा गया जबकि सेंटर में आपकी हुकूमन है और बिहार में आपकी हुकूमन है। यह कितने शर्म की बात है कि बावजूद आपकी हुकूमन होने के वहां के अफसर आपके मिनिस्टर को मारने में गुरेज नहीं करते। होशियारपुर में मेरे साथ भी बरी हुआ था। मैं रूलिंग पार्टी का मेंबर था, दफतर में जान की बात थी, लाठीचार्ज हुआ, मेरे ऊपर लाठियां बरसाई गईं। प्रश्नों के राज में भी पैसा करने की जर्न नहीं थी। लेकिन अब जनता पार्टी के राज में रूलिंग पार्टी के आदमियों के खिलाफ भी लाठियां चलनी हैं जोकि कानून का कायम रखने में मदद देने हैं। (अव्यवधान) एक साल हो गया है, पंजाब सरकार ने आग्रामन दिया था कि इक्वायरी करेंगे लेकिन कोई इक्वायरी नहीं हो रही है। जिन अफसरों ने यह एग्जाग्रेशन की थी, जल्द निकालकर लिये, मैंने श्री मोगराजी देवारी को उन के फोटो दिखवाये और कहा कि इन के खिलाफ कार्यवाही होनी चाहिये। पंजाब सरकार ने कहा कि एक इक्वायरी अफसर मुहरर करेंगे—लेकिन गया हुआ। वे लोग जो जल्द निकाल कर जाने हैं, जिन को वोटों में मजदूर है, उन के लिये हमने यहाँ कांड-आफ कण्डक्ट है—फिर भी किसी को अंगुली न ही लगाई गई।

मैं मंत्री जी से यही कहना चाहता हूँ—बराये-मेहरबानी आप प्रेक्टीकल शक्ल में देखने की कोशिश करें। अगर एमर्जेंसी में आप को हाथ नहीं लगा, आप बजे रहे, तो जिन को हाथ लगा है, उन से ही पूछ लीजिये कि क्या-क्या हुआ था। मुझे लेकर अदालत में पेश करने के लिये गये—मैंने बड़ा पर दरदवास्त दी, गर्मी के दिन है, मुझे 6 घंटे हो गये हैं, अभी तक पीने को पानी ही नहीं दिया गया। हमारे साथ जो मिक्थोरिटी अफसर आये थे, उन को अदालत में बयान दें—उन्होंने कहा कि हम को यह हुकम हुआ है कि इन को ले र जाइये, इन को कोई पानी या खाना नहीं देता है, वहां पेश कर के फिर वापस लेकर आइये। मेरे दरदवास्त के देने के बाद जब अदालत ने उस से पूछा तो उस ने यह बयान दिया, लेकिन उस पर कोई कायबाही नहीं हुई। जनता पार्टी की सरकार के हमारे में भी वे लोग उसी तरह से इन-दनाते फिर रहे हैं। बिहार में जो बूछ हुआ है, वह आंख खोलने वाला है। मिनिस्टर साहब, उन के लिये कानून बनाइये, जो आप के कानून की मिट्टी-पत्ती

[बीधरी बलवीर सिंह]

कर रहे हैं। इन सरकारी अधिकारियों पर अगर आप का इशारा नहीं होगा तो बगीच आदमी को कैसे इन्स्टाल मिलेगा।

इन शब्दों के साथ मैं आप को धन्यवाद देता हूँ आप ने मुझे इस मसले पर अपने विचार रखने का मौका दिया।

MR. CHAIRMAN: Mr. Parulekar, do you want to speak now or at a later stage?

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): I had moved amendments in the last session. The amendments lapsed because I did not renew them. I made a request to the Deputy-Speaker and he was kind enough to agree to give me time to speak. I may be allowed to speak at this stage.

MR. CHAIRMAN: I do not think you can do it unless the mover accepts it.

SHRI BAPUSAHEB PARULEKAR: I am not moving the amendments. I want to speak.

MR. CHAIRMAN: That is all right.

SHRI BAPUSAHEB PARULEKAR: Mr. Chairman, Sir, generally, I agree with the Bill that has been introduced by the hon. Minister of State. But while doing so, I would like to make a few suggestions.

In clause 10, a new amendment has been sought to be made to Section 102 by which sub-Section (3) has been added. It refers to the delivery of articles seized by the police during investigation. I feel that no proper consideration has been given when this particular clause has been drafted because it mentions that if during investigation some articles are seized which articles cannot be conveniently transported to the court, then the custody of these articles may be given to any person. I do not understand the wisdom of the words "any person". That means, if the Inspector attaches a car carrying contraband goods, then

it need not be given back to the person from whom it is seized but it can be given to the district Superintendent of Police or to some Sub-Inspector because that is the power which is vested. There was a similar provision in Section 517 which has been interpreted by the Supreme Court and the High Court that the custody of the article seized should be given back to the person from whom the article is seized unless the court gives a decision. This gives a complete discretion to the police officers to give the property to anyone they like. I would, therefore, request the hon. Minister to consider whether he wants to retain the words "any person" or whether he would consider to amend it himself by introducing the words "the person from whom the articles have been seized". I think great injustice will be done if the words 'any person' are retained.

Then, this is with reference to one more clause, i.e. clause 33 to which a reference was made by some of my esteemed colleagues and which lays down that a person who has been sentenced to transportation for life or whose sentence of death has been commuted to transportation for life shall not be released from jail unless he has had at least 14 years of imprisonment. I would like the Minister to explain to this House whether, while computing this period, the Government is going to consider the remission granted to him while he is undergoing the sentence. Otherwise there is no meaning in remission of the sentence for good conduct. As the Hon. Minister knows, the convicts behave well only because they have hopes that if they behave well, their imprisonment period will be reduced. And in these days of reformatory theory, I suggest that while computing the period of 14 years the remission granted should also be considered.

There is one more thing, with reference to clause 31. Now, that clause says that the Government can give authority to the Public Prosecutor to file an appeal against an acquittal order of the Court of Session in revi-

sion. I have no objection if this order of revision is made appellable, but I would like to invite the attention of the Hon. Minister to one Section which is in the Code. That is Section 399(3) which gives finality to the orders passed in revision. Now, if one Section of the Code gives finality to the orders in revision and if, by another Section, you are making this order appellable then these will be conflicting and this would create an anomaly. Therefore, I would request you to reconsider this clause 31 which amends Section 378 vis-a-vis Section 399(3). Section 399(3) is very clear that it is final and that no revision shall lie. Of course the Hon. Minister might say that this refers to revision only, but if you read in detail and compare the two sections, this would cause a great difficulty to the advocates, to the judges and the people at large.

Now I come to another important matter to which a reference was made by some of my esteemed colleagues, and that is with reference to clause 13 amending Section 167. May I request the Hon. Minister that the position prior to 1973 should be restored? It is no doubt true that, instead of 60 days, the period has been increased to 90 days, but I feel that this particular provision should be deleted from the Statute and the *status quo ante*, i.e. prior to 1973 should be maintained. For example, I would like to invite the attention of the Hon. Minister to one fact that, supposing an offence of waging war against the Government by, say a hundred or 200 or 300 persons is committed, and the Police arrest these 100 or 200 or 300 persons, is it possible that all these 300 persons can be 'challaned' to the court by the police in three months? If this is not done, all the persons will have to be released on bail because you have made this particular provision mandatory. There are some more cases also. For example, in Poona there was a case of murder where five persons were massacred. Then, again, take the case of Billa and Ranga. They have been arrested in connection with six or seven cases and

if the investigation cannot be completed within 90 days, all the 'Billas' and 'Rangas' will be released on bail. I would like to ask whether this was the intention behind drafting this particular Section. There are many cases wherein matters have to be sent to hand-writing experts, finger-print experts, ballistics experts etc. and where evidence has to be collected and, if all this is not done within the period mentioned the persons go scot-free. Not only that, in these days when there is rampant corruption, if the hands of the police are greased by the VIPs who are accused persons, they may not submit the charge-sheet within a period of 90 days and then the persons shall be allowed bail and they shall be released on bail. This, again, is directly in contra-distinction with Section 437 of the Criminal Procedure Code which lays down that no person who is charged with an offence punishable with death or transportation for life shall be released on bail unless the person is a woman or he or she is infirm. Both these things are there: in one case, you give the entire discretion to the police in not submitting the charge-sheet and allowing the person to go on bail, while you allow section 437 to remain on the Statute Book, under section 437 even after the case commences and even after he is committed to the court of Sessions, he shall not get the bail. Under the circumstances, this would be an instrument for corruption on the part of the police. I would, therefore, submit that this would not be advantageous.

Many of my esteemed colleagues spoke about the rights of the accused. Just as justice has to be done to the accused, we cannot forget that justice has also to be done to the complainant or whose family member has been murdered. We seem to be speaking only about the right of the accused.

Lastly, I would refer to the amendment—in Clause 8—to section 24 wherein a right has been given to the District Magistrate to prepare a panel of Public Prosecutors. I would respect-

[Shri Bapusaheb Parulekar]

fully invite the attention of the hon. Minister—and more so because he was also an advocate of repute in Maharashtra and he has the experience—how the Public Prosecutors are appointed by the District Magistrates. The District Magistrates are directly subordinates to the Home Minister or the Revenue Minister; they receive phone-calls and Public Prosecutors are appointed. The Sessions Judge, before whom the Advocate works every day, knows the merits of the particular person. Therefore, if this power is vested with the Sessions Judge, I believe, the purpose will be served better and at the same time the discrimination which has been referred to by my hon. friend will be removed. As far as the Central Government is concerned, they can appoint any advocate in the world as the advocate of the Central Government, but as far as the States are concerned, the State's choice must fall on one of the persons in the panel; this is highly discriminatory.

I would therefore, request the hon. Minister to consider these suggestions and make the amendment that may be necessary in view of the submissions I have made.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. D. PATIL): Mr. Chairman, Sir, I am grateful to all the hon. Members who have supported this Bill and who have also offered constructive comments and a few suggestions as to how the implementation of the Bill can be made to the advantage of the party. We are amending, to some extent, the procedural law, not the substantive law, and whatever comments are made as regards the substantive law will not be applicable here.

One thing which is argued is that this is the legacy of the Indira Government. To some extent, it is so. But it is not purely a legacy of the Emergency because much before the Emergency, at least three or four months before the Emergency, the 1973 Act was being considered at various levels, the

State Governments were consulted; there was a meeting of the Inspectors-General of Police who were concerned with the procedural law; also there was a meeting at a high level by the then Home Secretary and at that meeting, certain things emerged; certain difficulties were found and those difficulties could not have been delayed because in practical working the procedural law must work to the advantage of the party. That is why, I say, it is not purely a legacy of the Indira Government. Even so, if the legacies are good, one must not shudder at them one must not unnecessarily be sensitive about them. After all, Parliament is legislating for the whole nation, and we must not be unnecessarily concerned or sensitive about such a background.

Two friends have suggested that this Bill be circulated for eliciting public opinion. One friend suggested, though indirectly, that it should be referred to a Joint Committee. The Bill is before this Parliament from 9th May, 1978. Earlier, this Bill was already considered by the Rajya Sabha and was passed on the 26th August, 1976, but the Lok Sabha was dissolved, and there was no opportunity for the Lok Sabha to go through the Bill. This Government has brought this Bill to curtail or delete those provisions which were rather harsh or not commensurate with the spirit of the procedural law.

I will point out certain provisions which are sought to be deleted:

(1) The provision to amend Section 9 to enable the court of session to hold sitting in prison or place of detention of the accused person.

(2) The provision empowering the State Governments to confer powers of Judicial Magistrates on gazetted officers functioning as Executive Magistrates to try such offences or class of offences under some sections of the Indian Penal Code and under any special law for the time being in force, which are punishable with

imprisonment for a term not exceeding one year or with fine or with both. Similar provisions which were incorporated in section 18 relating to Special Metropolitan Magistrates have also not been included.

(3) The proviso inserted to section 14 enabling Judicial Magistrate to hold sitting in prison or place of detention of the accused person.

(4) The provision to amend section 25, to clarify that nothing shall preclude the State Government from conferring on the Inspector General of Police the powers of administrative control and supervision over Assistant Public Prosecutors.

(5) The provision enabling the Metropolitan Magistrate or the Special Judicial Magistrate invested with first class powers to record statements and confessions.

(6) The provision which sought to deny the accused copies of documents as well as the inspection thereof, if the document is considered prejudicial to the interest of the security of the State.

(7) The provision seeking to delete the provision relating to grant of anticipatory bail.

So all these seven clauses which the Government thought are unnecessary or detrimental to the interests of the parties have been deleted. Not only that, the government has applied its mind in recasting certain sections, particularly, the old section 24 which is being replaced by another section in order to remove certain difficulties felt in its working. Section 293 is also being amended as it is felt that it is not in practice possible for the Director of the Forensic Science Laboratory to sign all the reports. Amendments to Sections 377 and 378 have also been incorporated to remove certain difficulties. A new section putting restrictions on the powers of remission or commutation of sentences in certain cases which were suggested by the Joint Committee

on the Indian Penal Code (Amendment) Bill, 1972, has also been incorporated in the Code.

श्रीधरी बलबीर सिंह : समापति महोदय, मेरा व्यवस्था का प्रश्न है।

समापति महोदय : इसमें क्या व्यवस्था है ?

श्रीधरी बलबीर सिंह : मेरा व्यवस्था का प्रश्न यह है कि हम लोगों ने यहां बहुत सी बातें कहीं हैं और मिनिस्टर साहब अपना लिखा हुआ वक्तव्य पढ़ रहे हैं। ऐसी स्थिति में वह हमारी बातों का क्या जवाब देंगे ?

समापति महोदय : अभी उनका प्रावण समाप्त नहीं हुआ है।

SHRI S. D. PATIL : I am only giving the background.

So as far as the suggestion to refer the Bill or to circulate the Bill for eliciting opinion as also reference to a Joint Select Committee is concerned, I think no useful purpose will be served by that and the amendments which are proposed here are of a very consequential nature and some of the amendments are very urgent whereby the functioning of the Procedure Code will be made more effective and any delay will create complications and the State Governments are insisting upon these amendments. Law and order is primarily the concern of the State Governments and we must respect their wishes and they are very much insisting on these amendments....

SHRI P. VENKATASUBBIAH : You do some favour by recommending Mr. Balbir Singh for Ministership because he is so anxious.

SHRI S. D. PATIL : Sir, I will go clause by clause.

Clause 3 in section 11—a doubt is expressed whether we are trying to bring in by back-door methods Special Courts. We are far from it. But we feel the need of Special Courts in certain respects. For example, there are cases of railways where the jurisdiction is not confined to a particular area. Then there are cases against Harijans also. We must take

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into consideration the increasing atrocities which are perpetrated on the Harijans.

SHRI MOHD. SHAFI QURESHI (Anantnag): What about minorities?

SHRI S. D. PATIL: Yes, minorities also. I am grateful to you for mentioning this. So, in the case of administration of law and order there are certain problems which we are not able to meet by normal procedure. In this clause—which is an enabling clause—there is also provision that the State Government, after consultation with the High Court, decide whether such a special court is desirable or not.

Then I come to Clause 8 where many of the hon'ble Members feel as to why do you want to have two sets of prosecutors. The jurisdiction of the Centre and the State is divided as per the Constitution. Centre has got certain specific cases to be investigated. For example, there are retention and prevention of corruption cases which are of national importance and which have got wider repercussions and many complications. Such cases are to be investigated through CBI. For that purpose should we not have power to appoint people who have got experience, maturity and also depth of knowledge because these are cases which are of very complicated nature particularly mis-appropriation or embezzlement of funds by Central Government servants. So, the reason as to why we are having separate panel is only to deal with the Central employees or people under the employment of the Central Government. (Interruptions)

Under the old code of 1908 we had got the power but what we are thinking is whenever we are concerned in a district with this situation there we must have people of necessary calibre and experience so that they can conduct the cases which are particularly of concern to the Central Government. For that purpose we are having two sets of panels.

Now, as far as public prosecutors—those who are practising as district

government pleaders at the level of district courts—are concerned some States have their fixed panels. Some States adopt the method of having consultation with the District Judge. To keep the judiciary aloof from politics, what we have provided is that the District Magistrate will necessarily consult the district Judge and, I think at the district level the District Magistrate and the District Judge by mutual consultation should fix certain names. As every Tom, Dick and Harry is not fit to be included in the panel certain guidelines for selection to the panel have been given. This provision has been made because sometimes the District Judge may not have adequate knowledge of a person practising at the district level and if you have got wide range of people for selection then the District Magistrate knows that there are also people with calibre at the tehsil level. The District Magistrate is supposed to know the entire picture of the district. Even then there is a double check and unless the panel is prepared by both of them it cannot be submitted to the government.

PROF. P. G. MAVALANKAR: I want to seek a clarification from the Minister. You say that the District Magistrate must consult the District Judge. What happens if the District Judge's suggestion is not accepted by the District Magistrate?

SHRI S. D. PATIL: It is not advice. It is consultation. Consultation means that they must sit together and fix the names. So, the question that the hon'ble Member is raising is a hypothetical one. It may be possible that in an isolated case there may not be concurrence of opinion but by and large there is consultation. Now the panel is not of two-three people only. It is a large panel and there will be sufficient scope for making choice and persons who have put in seven years of practice as an advocate or pleader.

MR. CHAIRMAN: The hon'ble Member's point is that if they do not concur what will happen.

SHRI S. D. PATIL: There are certain guidelines given to them officially also (*Interruptions*).

Such cases are few and far between and if such cases come to the notice of the government then they will have to consider.

AN. HON. MEMBER: Is it that if there is difference of opinion, the opinion of the District Judge will prevail?

SHRI S. D. PATIL: That is also not true. But as far as possible the consultation is unanimous and names which are unanimously selected will be forwarded to the government.

PROF. P. G. MAVALANKAR: Sir, I want to rise on a point of order. I am not asking any hypothetical question. This House when it is legislating on a particular measure, must not be vague or indifferent about it. We must be very specific as to what exactly is implied by law because a little later you will ask that those in favour may say 'ayes' and those against 'noes'. How we will be able to vote when we do not know what we are passing? Parliament cannot be asked to pass something which the Parliament does not know. Let him definitely tell if the District Magistrate and the District Judge do not concur, the process of consultation will go on until both have agreed.

MR. CHAIRMAN: I am afraid this is not a point of order. This may be your view.

SHRI BAPUSAHEB PARULEKAR: I would request the hon'ble Minister to clarify that in case of difference of opinion between the Session Judge and District Magistrate whose opinion shall prevail.

SHRI S. D. PATIL: It depends upon the instructions given by the State Government. It is not vague. Hon'ble Members are arguing on hypothesis. In case of difference of opinion....

MR. CHAIRMAN: Government can well say we are not going to decide but after all while you legislate, hypothetical questions have to be considered. These things have to be considered. What it will be, you will have to say.

SHRI S. D. PATIL: In the amending Bill we say that the District Magistrate shall, in consultation with the Session Judge, prepare a panel of names. Authority is given to the District Magistrate.

AN. HON. MEMBER: Why do you give it to the Session Judge?

SHRI S. D. PATIL: He is head of the district. He is part of the whole administration. The law already provides it. The amending Bill also provides it. Earlier also it provided that the District Magistrate shall, in consultation with the Sessions Judge, prepare a panel of names of persons, who are, in his opinion, fit to be appointed.

PROF. P. G. MAVALANKAR: This is precisely my point also, Sir. 'Shall' goes with 'district magistrate' as well as 'in consultation with.' It goes with both. That is my point.

SHRI S. D. PATIL: The section is quite clear. Section 24(4) is quite clear that the District Magistrate shall, in consultation with the Sessions Judge, prepare a panel. He has to prepare the panel.

PROF. P. G. MAVALANKAR: It says 'In consultation with'. That is also 'shall'. That is essential.

MR. CHAIRMAN: Consultation is a must. Anyway, it is for the law courts to interpret it. You may please proceed.

SHRI S. D. PATIL: As we know, ultimately, the law and order subjects and the various functions of the administration rest with the District Magistrate and the Deputy Commissioner. So, advisedly, this has been kept in the Bill as in this sub-section (4). So, the district magistrate has to consult him. He will decide the fitness in consultation with him. Consultation is compulsory. It is obligatory.

Then, regarding the period of 7 years there was a suggestion to bring it down

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to 5 years. There were some other suggestions made regarding reduction of the period of 10 years.

SHRI DINESH JOARDAR: I just want to ask the question. This is regarding sub-clause (5) of Clause 8. No person shall be appointed by the State Government as Public Prosecutor or Additional Public Prosecutor unless certain conditions are satisfied. But for the Centre, there is no such procedure which is laid down, in regard to the mode of appointment of the Public Prosecutor and Additional Public Prosecutor. So, they can appoint any person. Why cannot you fix the same procedure for the appointment of the Public Prosecutor and Additional Public Prosecutor by the Central Government also?

SHRI S. D. PATIL: In the earlier Bill also, this provision was there, which was passed by the Rajya Sabha. They have not touched upon this point. There is a certain degree of independence which the Centre should have. The Centre should have its own say. This should not be entrusted to anybody else. The Centre cannot assign that authority to the District Magistrate or to the Sessions Judge. The Centre must have its own say in the matter.

PROF. P. G. MAVALANKAR: We will pass what we have understood. That is all.

SHRI S. D. PATIL: As regards the reduction of the period from 7 years to 5 years and so on, and regarding the suggestion made for reducing the 10 year period, I wish to say something. This 10 year period is meant only for the Special Prosecutors. The period of 7 years is meant for ordinary Prosecutors. The Advocate should be a person of sufficient maturity and experience. Otherwise it will not be possible to appoint him. Therefore, if is not possible to reduce the number of years. This limit is also laid down by the Law Commission in their 41st Report on page 311, para No. 38(3).

Coming to Clause No. 11....

SHRI BAPUSAHEB PARULEKAR: The Minister did not clarify an important point. I am saying this, because, that should go on record.

MR. CHAIRMAN: Please wait. Let him finish first. You can say it later.

SHRI BAPUSAHEB PARULEKAR: But he has gone to the next point.

MR. CHAIRMAN: You please wait. Let him complete the whole thing first.

SHRI S. D. PATIL: Mr. Parulekar has referred to Clause 10 which is about "custody thereof to any person on his executing a bond undertaking to produce the property before the Court...." This will necessarily not be done by anybody. No outsider will go and take the risk of executing the bond and produce the property. It is only the person concerned. Sometimes the person concerned may not be available and the reasons may be there. So, it is wider enough to have wider aspect of executing a bond undertaking to produce the property.

Now, coming to clause 11—asking for security—beside personal bond, surety has been asked. There was already a provision in the old law. In 1955, there was a provision for this. It is only in the 1973 Bill, this had been done away with on the ground that it would create difficulty to poor men who are in the grip of those persons, who are professional persons, who stand sureties for various persons and thereby they exploit them. Sometimes, they bind them down by certain agreements so that they can serve them for a number purposes. So, in order to avoid this difficulty, this clause has been amended and the 'surety' has been done away with. But in the implementation of this Act, that is, after 1973, a position has arisen that several States are finding difficulty. So far as persons who are bound down for keeping peace and tranquility, that is, persons who are covered under Chapter VIII, who are generally go under the heading of Chapter "Proceedings", who are generally anti-social, are concerned, those persons are not bound down by surety.

बीबरी बलबीर सिंह : एमजसी में तो हम बी
एन्टी सेक्स थे।

SHRI S. D. PATIL: The question is: I am not commenting upon what has happened during the Emergency. The whole world knows it. Now, we are dealing with the situation and this is not a question of 107 or 124, as if the Chapter is not new. It is for maintenance of peace and tranquility and law and order situation is to be maintained in a particular locality. If a person disturbs it, he must necessarily be bound down. It is only a figment of imagination that the people are not bound down. There are certain circumstances whereby if the Courts come to the conclusion or the Magistrate comes to the conclusion that this man should be bound down, there the question of surety is more important. This is the demand from several States. Since it is on the Concurrent List, we have to see that this particular demand is met.

SHRI DINEN BHATTACHARYA (Scramapore): This provision was made in 1973.

SHRI S. D. PATIL: In 1974, they had come to this opinion that there were difficulties.

SHRI DINEN BHATTACHARYA: After the Emergency period....

SHRI S. D. PATIL: No. That is why I have clarified the position that this is not the legacy of Mrs. Indira Gandhi or her regime. But it was earlier. The discussion was earlier than March 1975—and much earlier. So there is no good mixing it with the Emergency and there is no use of saying that it is only the replica of Mrs. Indira Gandhi. The question was decided much earlier and certain provisions were made and there are quite good instances in the present situation. Why should we not have it? So, in order to meet the demands of the various States, this has been included.

Now, I am coming to Clause 13, that is, about 'remand'. As far as (b) is concerned, that is about the production of the accused, of course, this was only to meet certain exigencies of the situation, but we have done away with the presence of it. I will explain the position. Then I will come to the conclusion as to what is to be done about the suggestion made by several hon. Members. Sometimes it happens that the accused is seriously ill or his production in the court or before the magistrate involves a question of security. This will arise only in those cases. We have seen recently how on certain occasions the courts are over-crowded and it becomes a problem to take care of the security aspect. This provision is intended to meet that particular situation. Since there is a large measure of agreement for deletion of this clause, I have no objection to delete it, personally. I want it because I thought, it is important to meet such situations.

SHRI DINEN JOARDER: Recently, there was the case of Ranga and Billa, where the question of security or over-crowding arose. The solution was also there; the Magistrate could have held the court where the accused were confined. Why is this provision being introduced to take care of such exceptions? This was a single case of this type, as far as I remember.

SHRI S. D. PATIL: We have not accepted that position for the Magistrate or the Judge holding courts at places where the accused are confined or at other places than the usual place of court.

Even then, I am prepared to delete this particular provision.

Now, as far as clause (2A) under (d) is concerned, there seems to be some misconception about this particular clause. This has been proposed in order to meet certain eventualities. It is only where the judicial magistrate is not available—that is the first condition—the police officer may

[Shri S. D. Patil]

transmit the accused to the nearest Executive Magistrate, on whom the powers of a Judicial Magistrate or Metropolitan Magistrates have been conferred. The first condition is that the judicial magistrate is not available and the second condition is that the Executive Magistrate must have the powers of a Judicial Magistrate. Every Executive Magistrate is not given those powers. It is limited to a particular situation, where the Judicial Magistrate is not readily available. Many times it happens that when a Judicial Magistrate is not available for some reasons, we have to produce the accused before an Executive Magistrate, who has got the powers of a Judicial Magistrate. This clause does not, in any way, interfere with the system of our principle of separating the judiciary from the executive. That fear is not well-founded.

Now, coming to clause 21, I have also no particular inhibition there. This provision is intended to meet certain eventualities where a witness does not know the language of the court or the district or the State, but if some hon. Members have got some sort of allergy or sensitivity that we are introducing Hindi by back door, it is far from me and I am also prepared to submit that this should be taken out if the House desires.

17 hrs.

Mr. Parulekar, who himself is an eminent lawyer, has raised the question of appeal against the revision. I have tried to read—because this was a new point for me—whether clause 339 sub-clause (3) gives finality:

“Where any application for revision is made by, or on behalf of any person before a sessions judge, the decision of the sessions judge thereon shall be final and no further proceeding by way of revision....”

It is the proceeding by way of revision, that is prevented, and not the appeal. What we are seeking here is to give the right of appeal even

against the acquittal, in revision.

The last point is about clause 33, viz. whether this particular clause interferes with that right. When a person is sentenced to life imprisonment—many times it has been explained in my notes also—this arises, because we are making a provision in section 53 of the Indian Penal Code; and we are putting this particular clause 433A, viz:

“Notwithstanding anything contained in section 432, where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishments provided by law, or where a sentence of death imposed upon a person has been commuted under section 433 into one of imprisonment for life, such person shall not be released from prison unless he had served at least fourteen years of imprisonment.”

Here, from death sentence, his sentence is remitted to that of imprisonment for life. There is already sympathy shown to a person because of certain extenuating circumstances, or of Government's powers, as already explained. After the exercise of this power, if suppose the imprisonment for life is to be turned into prison for 5 or 6 years, then it has no meaning; and, therefore, where persons who have committed heinous crimes like murder are released within a period of 5 or 6 years, then it has no deterrent effect. So, the Joint Committee of both the Houses of Parliament on the Indian Penal Code (Amendment) Bill, 1972 inserted a proviso to section 57 IPC to provide that where a sentence of imprisonment for life is imposed on conviction of a person for a capital offence or where a sentence of death imposed on a person has been commuted into one of imprisonment for life, such person shall not be released from prison unless he has served at least 14 years of imprisonment. In order to keep the deterrent effect of that punishment, this has now been brought to 14 years instead of 5 to 6

years. (Interruptions) What the hon. Member says is for discussion when the Indian Penal Code which has been already okayed by the Rajya Sabha comes here. Hon. Members will have ample opportunity.

I am again referring to clause 13(2) (a) (i) which says :

"ninety days where the investigation relates to an offence punishable with death, imprisonment for life or imprisonment for a term of not less than ten years;"

There are certain offences where imprisonment is for more than 10 years, or for life or there is death penalty. In such cases, if the investigation is to be completed within 90 days, it becomes very difficult. A number of difficulties arise out of it. The 1973 Act made it compulsory that such a person should be released on bail, if the investigation is not completed. Granting that the police machinery, as it is, may not be so competent—I do not say that they are all incompetent but taking that they are not so competent—there are even difficulties in collecting evidence. Suppose the evidence relates to several cases, outside India or even inside India from one district to another district, far-off district, in such cases you must have some sort of a consideration for the police machinery which is the investigating machinery. If the investigation is to be effective, you must give them a certain lease of time to complete it.

That is why it is only in the case of heinous offences that this period is extended. Many of our friends including Prof. Mavalankar have welcomed this provision. After all, it depends upon the State administration how to pull up their investigating machinery. Suppose there are persons who are slackening. I have got cases in which persons who are found slackening and there are CR reports, have been demoted. It is not that they have not been penalised for their relaxation in duty or lack of vigilance.

SHRI DIESH JOARDER: In that case, you have to give a new motivation to our police force.

SHRI S. D. PATIL: That is a matter for Parliament to decide. I think I have exhausted all the clauses except a few. I again request the hon. Members to extend the support to the first reading of the Bill.

PROF. P. G. MAVALAKAR: I want to know your views on legislative *ad hocism*. Let us know the Government's mind.

SHRI S. D. PATIL: What principle should be adopted on legislating a law, these are matters of general discussion. If there is a seminar on that, Prof. Mavalankar will enlighten us on that; and we will welcome that. But here I am unable to comment on *ad hocism*. This is beyond my competence.

SHRI BAPUSAHEB PARULEKAR (Ratnagiri): I would like to invite your attention to Clause 8, sub-clause (6). It says:

"Notwithstanding anything contained in sub-section (5), where in a state there exists a regular Cadre of Prosecuting Officers, the State Government shall appoint a Public Prosecutor or an Additional Public Prosecutor only from among the persons constituting such Cadre."

Now in the amendment, there are Police Prosecutors, and whether this Cadre mentioned here in sub-section (5) includes the cadre of Police Prosecutor. It would mean that Public Prosecutor shall be appointed only from Police Prosecutors. I want that clarification from the hon. Minister.

SHRI S. D. PATIL: The Police Prosecutor is a different category altogether and the Public Prosecutor is a different category.

SHRI BAPUSAHEB PARULEKAR: It is mentioned here: "A regular Cadre of Prosecuting Officers." So,

[Shri Bapusaheb Parulekar]

the Police Prosecutor is also covered. Otherwise, Police Prosecutors alone will be eligible to become a Public Prosecutors. You please clarify it and it should go on record. Otherwise, it will be a matter for writ petition. Some Police Prosecutor will file a writ petition.

SHRI S. D. PATIL : As far as I can gather from this particular section: "Notwithstanding anything contained in sub-section (5), where in a state there exists a regular Cadre of Prosecuting Officers," States have got their own cadre of Prosecuting Officers. It is not necessary that he should be a Police Prosecuting Officer. You are assuming that they are Police Prosecutors.

SHRI BAPUSAHEB PARULEKAR : In the case of Maharashtra.

SHRI S. D. PATIL : The Police Prosecutor Cadre is altogether a different cadre. And as far as the Public Prosecutors and the Assistant Prosecutors who are covered under this particular clause are concerned, they are to be selected in consultation with the district by the District Magistrate. So, the question does not arise. Those appointments are made by the DIG and the IGP.

MR. CHAIRMAN : There are two amendments. One is by Shri Vinayak Prasad Yadav for circulation of the Bill for the purpose of eliciting opinion. The other one is by Shri Dinesh Joarder for referring the Bill to a Joint Committee. I shall first put amendment No. 2 moved by Shri Vinayak Prasad Yadav for circulation of the Bill for eliciting opinion.

Now, the question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st January, 1979."

(2)

The motion was negatived.

MR. CHAIRMAN : There is amendment No. 3 by Mr. Dinesh Joarder for referring the Bill to the Joint Committee.

SHRI DINESH JOARDER : I am not pressing it.

MR. CHAIRMAN : Has the hon. Member leave of the House to withdraw his amendment?

Amendment No. 3 was, by leave, withdrawn.

MR. CHAIRMAN : The question is:

"That the Bill further to amend the Code of Criminal Procedure, 1973, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : There are no amendments to clauses 2 to 7. The question is:

"That clauses 2 to 7 stand part of the Bill."

The motion was adopted.

Clauses 2 to 7 were added to the Bill.

Clause 8—(Substitution of new section for section 24.)

MR. CHAIRMAN : There is an amendment to clause 8.

SHRI S. D. PATIL : I have tabled amendment No. 1 to clause 8; it is only a drafting change because it is redundant.

Amendment made.

Page 3, line 44,—

omit "or sub-section (5)" (1)
(Shri S. D. Patil)

MR. CHAIRMAN : The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8, as amended, was added to the Bill.

Clauses 9 to 12 were added to the Bill.

Clause 13—(Amendment of section 167)

MR. CHAIRMAN : We take up clause 13. There is an amendment,

No. 6 by Mr. Gattani. This is being allowed as an exception because I am told that the hon. Minister is agreeable to this amendment. It could not be circulated earlier.

SHRI S. D. PATIL: I accept this amendment.

SHRI R. D. GATTANI (Jodhpur): I beg to move amendment No. 6.

Page 5,—

omit lines 14 to 16. (6)

The lines I seek to omit read as follows: "(b) in paragraph (b) for the words 'no Magistrate shall', the words 'no Magistrate shall, except for reasons to be recorded in writing' shall be substituted". The whole of these lines are omitted.

SHRI S. D. PATIL: For reasons which I have already stated, to be produced before the court is the fundamental right of the accused, I accept the amendment.

MR. CHAIRMAN: The question is:

"Page 5,—

omit lines 14 to 16." (6)

The motion was adopted.

MR. CHAIRMAN: The question is:

"That clause 13, as amended, stand part of the Bill."

The motion was adopted.

Clause 13 as amended, was added to the Bill.

Clause 14 to 20.

MR. CHAIRMAN: Now we take up clauses 14 to 36.

SHRI S. D. PATIL: I move:

"That clause 21 be deleted."

The reason is that there was a criticism that Government is trying to introduce Hindi by backdoor method. The difficulty was that whenever a witness does not know the language of a district, there was option given to

him that it must be either in Hindi or in English.

MR. CHAIRMAN: There cannot be an amendment. Clause 21 will not be adopted.

I put clauses 14 to 20 to the vote of the House.

The question is:

"That clauses 14 to 20 stand part of the Bill."

The motion was adopted.

Clauses 14 to 20 were added to the Bill.

Clause 21— (Amendment of section 277)

MR. CHAIRMAN: Now, we take up clause 21.

PROF. P. G. MAVALANKAR: The Minister says that because of the criticism that Hindi was being sought to be brought by backdoor method, therefore, he was prepared to delete it. My point is, if by the present amendment which he has brought in this particular clause 21, the language of the court which is the language of the majority of the people of that particular region is there, then my query is that by his amendment which he has brought whether those people who do not belong to the group of people whose language is the language of the region, would be able to use Hindi or English as the language of the court. My understanding is that only when the language of the court is one and the language of the court is one and evidence is different, then only Hindi or English can come in. If that is so, why does he get it deleted? So, he must explain the position and then get it deleted.

SHRI S. D. PATIL: This danger will be there no doubt. But some hon. Members wanted deletion of Hindi from this clause. In case of a witness who does not know the language of the court, the deposition will be recorded in the language of the court, because there would be an interpreter.

SHRI P. VENKATASUBBAIAH (Nandyal): Perhaps, originally only English was there.

PROF. P. G. MAVALANKAR: The language of the court.

SHRI P. VENKATASUBBAIAH: Instead of that, English and Hindi have been substituted. You can have English. Why add "Hindi"?

SHRI R. VENKATARAMAN (Madras South): Mr Chairman, the procedure in the courts is that it should be taken in the language of the region, and if it is not in the language of the region, then it is recorded in English, and the rules provide for the use of English. Now what is sought to be done is that it may be recorded in English or Hindi. This is likely to give rise to a lot of suspicion in people's mind that this is a way of introducing Hindi by the backdoor. This provision is not necessary for the purpose of this Act, because the existing provisions have proved satisfactory and nobody has complained about it. So, where was the need for an amendment of this kind? Let the sleeping dogs die. By disturbing them you create nuisance and trouble.

SHRI DINEN BHATTACHARYA (Serampore): They will bark and bite.

SHRI R. VENKATARAMAN: Today they recorded in the language of the region. Otherwise, under the rules, they can record in English, and there is no magistrate in India who does not know English. So, I say this clause may be deleted. Otherwise, we are going to vote against this clause ... (Interruptions)

SHRI BAPUSAHEB PARULEKAR: I would invite your attention to clause 21, which reads:

In section 277 of the principal Act, in clause (a), after the words "taken down in that language", the

words "or if it is not practicable to do so, it shall be taken down in Hindi or in English", shall be inserted'.

Why not add here "or any regional language"? Then all the disputes will be solved. Instead of deleting this clause, the hon. Minister should move an amendment on those lines.

SHRI R. VENKATARAMAN: The regional language is already there. There is no question of adding it.

श्री यमुना प्रसाद कलसी (रीवा): श्रीमान्, मेरा कहना है कि पहले से ही यह प्रावधान है कि एक प्रादमी जो अपना बयान देना वह वहाँ की रीजनल लैंग्वेज में देगा, अपनी मातृभाषा में देगा और उसमें कोई आपत्ति नहीं हो सकती है। जिसको अपनी बात अदालत के सामने कहनी है उसको अपनी मातृभाषा में बात कहने का अधिकार होना चाहिए और वह स्वयं उचित है। लेकिन अगर कोई व्यक्ति उस क्षेत्र की भाषा में बोल नहीं सकता है तो उसके लिए यह प्रावधान रखा गया कि या तो वह अपनी बात अंग्रेजी में कहे या हिन्दी में कहे और मैं समझता हूँ यह बात स्वयं उचित है, इसको डिलीट नहीं करना चाहिए। जहाँ तक अंग्रेजी का प्रश्न है, आप सभी लोग जानते समझते हैं कि इस देश के कितने लोग अंग्रेजी बोल और समझ सकते हैं। एक प्रादमी जो बयान देना चाहता है वह अगर वहाँ की मातृभाषा, वहाँ की कोर्ट लैंग्वेज में नहीं बोल सकता है तो उसके लिए केवल अंग्रेजी को रखना उसके साथ छोड़ा-धड़ी करना है। चूंकि प्राक्काल लैंग्वेज ऐक्ट कहता है कि जब तक इस देश के एक भी राज्य के लोग चाहेंगे कि अंग्रेजी चलती रहे तब तक अंग्रेजी चलती रहेगी इसलिए आप अंग्रेजी रखते हैं तो कोई दिक्कत नहीं है लेकिन हिन्दी को जरूर रखना चाहिए।

यह कहना भी बलत है कि इस देश में कोई भी मजिस्ट्रेट ऐसा नहीं है जोकि अंग्रेजी न जानता हो क्योंकि आप जानते हैं कि हिन्दी तथा क्षेत्रीय भाषाओं के माध्यम से कानून की भी पढ़ाई होती है, बी०ए०, एम०ए०, तथा दूसरे विषय हिन्दी अथवा क्षेत्रीय भाषाओं में पढ़ाये जाते हैं इसलिए ऐसे न्यायाधीश भी हो सकते हैं जिनको अंग्रेजी का ज्ञान न हो। जो प्रादमी बयान दे रहा है उसको ब्यास तौर से आप्रजन होना चाहिए कि अगर वह वहाँ की कोई लैंग्वेज को नहीं समझता है तो हिन्दी या अंग्रेजी में उसका बयान हो। मैं आपसे ब्यास से कहूँगा कि इसको डिलीट न किया जाये क्योंकि यह स्वयं उचित है तथा व्यावहारिक भी है और इसमें कोई भी कठिनाई नहीं आयेगी।

MR. CHAIRMAN: You can't elaborate into a debate, but an observation can of course, be made.

SHRI R. VENKATARAMAN: This clause relates not to anybody speaking, but to taking down the deposition of the witness and the taking of the deposition of the witness is done in the regional language or in English at present. The various rules provide for it. If you say 'no', that means you do not know the procedure.

श्री उद्योग (देवरिया): इस का मतलब है—सब कुछ रहे, लेकिन हिन्दी न रहे। (अवधान)

सभापति महोदय: येरा निवेदन है—अगर किसी को कुछ कहना है, तो वो प्रान्तेबिल मेम्बर बोल रहे हैं, उन की बात पूरी हो जाने दीजिये। उसके बाद फिर जो आप को कहना है, वह कहिये। लेकिन बीच में न बोलिये, जिससे न उन की बात सुनाई पड़े और न आपकी बात सुनाई पड़े।

SHRI R. VENKATARAMAN: I did not say that there is nobody who does not know English. I said there is no judicial magistrate or any magistrate in India who does not know English. All that I said is that if the magistrate does not know the regional language, he will take it down in English. If he knows the regional language, he will take it down in the regional language. If Hindi is the regional language in a certain area, he will take it down in Hindi. Nobody objects to it. All that I said is that the existing clause does not create any problem, it has not created any problem, it has not created any difficulties for the Minister so long. So, why this new provision and why this new trouble? That is my point.

श्रीधरी बलबोर सिंह: इन्होंने जो इंग्रेजी की बात कही है—मैं एक बात बतलाता हूँ—एक अदालत में मुकदमा चल रहा था....

सभापति महोदय: आप मुझे की बात बतलाइये, भाषण न दीजिये।

श्रीधरी बलबोर सिंह: अदालत ने उस मुकदमे में कहा—“डिस्मिस्ड”। मुकदमे वाला एक गरीब आदमी था, वह समझता नहीं था। वकील ने कहा—तो, अब डिस्मिस्ड साथ लग गया है और बाहर जा कर उसने उसके नाम पर और वैसे एंट लिये। मैं उनसे कहना चाहता हूँ कि अब इंग्रेजी की गुलामी छोड़ दें। हिन्दी में अगर कोई लिख कर देना चाहें या बयान देना चाहे, तो उसकी इजाजत होनी चाहिये। इस

देश में तमाम लोग इंग्रेजी जानते हैं—ऐसी बात नहीं है। इस देश की आबादी इंग्रेजी नहीं जानती है।

सभापति महोदय: मैं माननीय सदस्यों से प्रार्थना करूंगा कि वे बहुत संक्षेप में प्रपन विचार प्रकट करें।

श्री प्रसेन: माननीय सभापति महोदय, यह जो प्रिन्सिपल एक्ट है, इसमें माफ़ लिखा हुआ है—इंग्रेजी या हिन्दी। अब इसके साथ अगर आप क्षेत्रीय भाषा को भी जोड़ दें—तो यह बात समझ में आ सकती है। लेकिन हिन्दी को बड़ा से लिखावट भी बात समझ में नहीं आती है। हमारे लोग भाषा कार्ड्स को माना है—उसमें हिन्दी चलेगी, इंग्रेजी चलेगी और क्षेत्रीय भाषा चलेगी—इसमिसे मैं व्यक्तिगत तौर पर यही चाहता हूँ कि इसी तरह से रखा जाय, क्षेत्रीय भाषा में भी बयान देने की गुंजाइश रहनी चाहिये। आप जानते हैं—एक ब्राह्मण और कैसे लिखी जायगी? मैंने पुलिस कमिशनर के सामने बयाही दी। वहाँ पर वह बात कही गई कि वही प्रथम सूचना एप्ट प्रच्छी होती है जो स्वतः लिखाई जाती है, लिखलाई हुई नहीं होती है। हम एप्ट को देख कर बताना सकते हैं कि बरोगा ने कौन सी लिखाई है और कौन सी स्वतः लिखाई गई है। इसलिये मेरा कहना है कि उसको आबादी होनी चाहिये, वह जिस भाषा में चाहे, लिखा मके। अगर वह क्षेत्रीय भाषा में नहीं लिखा सकता है, तो उसे मौका दीजिये कि हिन्दी में लिखाये, अगर हिन्दी नहीं जानता है, केवल इंग्रेजी जानता है तब दूसरी बात है, उसको इंग्रेजी में लिखने का अवसर दिया जाना चाहिये। लेकिन इस तरह से संशोधन सा कर हिन्दी को निकासने का प्रयास किया जाय, हमारी जनता पार्टी को सरकार इसका विरोध करती है, हिन्दी में तो रहना ही चाहिये।

PROF. P. G. MAVALANKAR: I don't think this is a stage at which we can go into details of arguments over and over again. I would suggest with the consent and response of Government that since the Bill is introduced in our House and in any case it is going to the other House for further consideration, if the Government have brought forward a Bill with this particular clause also, let them not hastily decide this way or that way. Having brought the clause, let them retain it at this stage. They have already responded to the criticism which has come from the non-Hindi section. If Government feels on a proper consideration that it is necessary to delete it, not on an *ad hoc* basis, they may bring the necessary amendment on their own when the Bill goes to the other House and get this deleted. That will be a fair way of doing it, because that will give

[Prof. P. G. Mavalankar]

Government time to think about it, and that is what the second House is meant for. But if the Government wants to withdraw it, I am not standing in the way.

SHRI DIESH JOARDER: We are not concerned with the other House. As the Minister has agreed to drop the clause, let him allow it.

SHRI A. SUNA SAHIB: The code says that evidence may be taken in English. There is no question of Hindi. If there is a regional language, Hindi or Tamil or Malayalam, the magistrate can record it in that language if necessary. There is no question of adding this clause "either in English or Hindi". As Prof. Mavalankar has said, there is no controversy. The hon. Minister has already undertaken. He should withdraw it.

SHRI S. D. PATIL: There is some misconception about this amendment and also the section. Section 277 says that in every case where evidence is taken down under section 275 or 276, if the witness gives evidence in the language of the court, it shall be taken down in that language; if he gives in any other language, it may be impracticable to be taken down in that language, and if it is not practicable to be so taken down a true translation of the evidence in the language of the court shall be prepared and signed by the magistrate and shall form part of the record. The amendment was brought because in some States, particularly in Orissa, there are different languages and some presiding officers do not know the court language in certain areas. This is the practical difficulty. However, Government is not very keen on keeping this, and that is why I have agreed. There is no harm if this clause is deleted.

MR. CHAIRMAN: The question is:

"That Clause 21 stand part of the Bill."

The motion was negatived.

MR. CHAIRMAN: The question is:

"That Clauses 22 to 36 stand part of the Bill"

The motion was adopted.

Clauses 22* to 36 were added to the Bill.

MR. CHAIRMAN: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI S. D. PATIL: I beg to move:

"That the Bill, as amended, be passed."

श्री हरिकेश बहादुर (गोरखपुर) : मान्यवर, यद्यपि मैं सरकार द्वारा लाये गये इस विधेयक का समर्थन करने के लिये खड़ा हुआ हूँ, फिर भी यह महसूस करता हूँ कि हमारे देश के अन्दर बढ़ते हुए अपराधों को खत्म करने में कोई विशेष मदद नहीं मिलेगी। आज की हालत में जब अपराध बहुत तेजी से बढ़ रहे हैं इस विधेयक में कुछ बुनियादी परिवर्तन की आवश्यकता थी और उससे भी आगे बढ़ कर कुछ ऐसे परिवर्तन की आवश्यकता थी जिसमें अपराधियों की अपराध प्रवृत्ति पर कोई अंकुश लगना तो सरकार ने कुछ अच्छा काम किया होता।

आज जो हमारे देश में दंड की प्रक्रिया है, अपराधियों को दंड देने की जो नियमावली है उसके तहत यह पाया जा रहा है कि भयंकर अपराध करने के बाद अपराधी जब अदालतों में जाते हैं अपनी सफाई देने के लिये तो वहाँ से अधिकांश अपराधी छूट जाते हैं। नतीजा यह हो रहा है कि अपराध करने की प्रवृत्ति उस व्यक्ति के अन्दर तो बढ़ती ही है जो अपराध करने के बाद अदालत से छूट जाता है, साथ ही पूरे समाज के अन्दर अपराध करने की प्रवृत्ति बढ़ रही है और इसके कारण आज देश में यह स्थिति पैदा हो गई है कि पूरी तरह से अराजकता और हिंसा का वातावरण

*In view of clause 21 having been negatived, clauses 22 to 36 were re-numbered as clauses 21 to 35, as the speaker.

negatived, clauses 22 to 36 were re-patent errors under the direction of

है, कोई भी व्यक्ति अपने को सुरक्षित नहीं समझ रहा है। कुछ ऐसे अपराध हैं जैसे हत्या, डकैती, स्मगलिंग, रेप, ब्लैक मार्केटिंग, होर्डिंग, प्रोफ़ीटियरियरिंग जो भयंकर अपराध हैं और ऐसे अपराधियों को जिस प्रकार का दंड दिया जाता है, आज संविधान के अन्दर जो प्रक्रियायें लागू की गई हैं वह हमारे देश के अन्दर बढ़ते हुए अपराध को खत्म करने में नाकाफी हैं। इसमें जो संशोधन किया जा रहा है हमने यह अनुभव किया था शायद कुछ और भी अधिक क्रान्तिकारी परिवर्तन किये जायेंगे ताकि देश में अराजकता और हिंसा के वातावरण को रोकने में मदद मिलेगी। लेकिन वैसा इस विधेयक में देखने को नहीं मिला। आज देश के अन्दर लोगों का विश्वास कानून से टूट रहा है, जिसका नतीजा यह होगा कि लोकतांत्रिक व्यवस्था खतरे में पड़ जायेगी। आज प्रति दिन बराबर इस बात की चर्चा हो रही है कि बढ़ते हुए अपराध के कारण लोकतंत्र और स्वतंत्रता खतरे में है तथा लोकतंत्र में जो मानवीय अधिकारों का संरक्षण है अगर उनका मतलब यही होता है कि तरह तरह के अपराध बढ़ते जायें और उन पर अंकुश न लगे तो लोकतंत्र का कोई महत्व नहीं है। अगर यह प्रवृत्ति बढ़ती जायेगी तो पूरी कानून व्यवस्था अस्तव्यस्त हो जायेगी और नतीजा यह होगा कि हमें एक ऐसी तानाशाही का सामना करना पड़ेगा जिसके विरुद्ध हमने हमेशा संघर्ष किया है। इसलिये मेरा मुझाव तो यह है कि मंत्री जो फिर से इस बात पर विचार करें कि जो भयंकर क्रिमि के अपराध हैं उनमें अपराधियों को दंडित करने की जो व्यवस्था हो वह कोई नई व्यवस्था लागू की जाय और इसके लिये स्पेशल कोर्ट बनाये जायें तथा अपराधियों का जो सजा देने की व्यवस्था है उसमें देरी न हो और अपराधों की जांच करने की जो व्यवस्था है उसमें भी कुछ परिवर्तन किया जाय और अपराधों के बारे में जांच करने के बाद जो रिपोर्ट आती है उस पर तत्काल कार्यवाही की जाय। अगर हम इन कामों को करेंगे, तभी हम देश में बढ़ते हुए अपराधों को रोक सकेंगे।

विशेष रूप से इस विधेयक के बारे में मुझे यह भी लगता है कि लोकतांत्रिक व्यवस्था और उसमें दी गई आजादी का शोषण करने के लिये अगर लोगों को छूट होगी, या लोग यह महसूस करेंगे कि जो आजादी दी गई है, उसके जरिये वह दूसरों के जीवन को संकट में डाल सकते हैं, तो उससे हमारी पूरी व्यवस्था खतरे में पड़ जायेगी। इससे लोकतंत्र की हत्या भी हो सकती है। इसलिये मैं इस अवसर पर मंत्री जी के माध्यम से सरकार को मावधान करना चाहता हूँ कि लोकतांत्रिक व्यवस्था को कायम रखने के लिये अपराधियों को दंडित करने के सख्त नियम बनाये जायें।

आज हमारे न्यायालयों में ठीक ढंग से न्याय नहीं हो रहा है। दुर्भाग्य की बात है, आमतौर से आज इस बात की चर्चा होती है कि न्यायालय में जो न्याय हो रहा है, वह ऐसे से बेचा और खरीदा जा रहा है। इसका कारण यह भी हो सकता है कि हमारे जो जज हैं, वह लो-पेड हैं, उनको जो वेतन दिया जाता है, वह बहुत कम है। इसके लिये हमें विचार करना चाहिये और उसे बढ़ाने की कोशिश करनी चाहिये क्योंकि वे लोग बहुत महत्वपूर्ण कार्य करते हैं। साथ ही जूडिशियरी के जरिये न्याय न होने का एक कारण यह

भी है कि वह अपने को सिक्योर और सेफ नहीं महसूस करते हैं। अगर अपने जजमेंट में किसी अपराधी के खिलाफ वह निर्णय कर देते हैं तो उन्हें डर रहता है कि ऐसे अपराधी उन पर आक्रमण कर सकते हैं और रोमैट गार्ड में इस तरह की घटनाएँ हुई भी हैं। इसलिये इस पर भी ध्यान दिया जाना चाहिए।

कीमुनल रायट्स रोकने के लिये इस विधेयक में एक विशेष व्यवस्था होनी चाहिए थी। आज देश में हर जगह साम्प्रदायिक दंगे हो रहे हैं जातिवाद से संबंधित दंगे हो रहे हैं। इन्हें रोकने के लिये विशेष प्रक्रिया इसमें ला देनी चाहिये थी और ऐसे अपराधियों को कम से कम 5 वर्ष की कड़ी सजा देने की व्यवस्था इसमें की जानी चाहिये थी। इसकी भी इसमें कमी देखी गई है।

मैं आशा करता हूँ कि माननीय मंत्री जी मेरी बातों पर ध्यान देंगे और ऐसा विधेयक लायेंगे जिसमें इन कमियों को पूरा करने की कोशिश की जायेगी।

SHRI S. D. PATIL: I am very much alive to the concern expressed by the Hon. Member, but all his observations are relevant when the Indian Penal Code is taken up for consideration. This is procedural law: it is not a substantive law. (Interruptions). Certain difficulties have been brought to light in regard to the implementation of the Criminal Procedure Code (Amendment) Act of 1973 and that is why we have come to the House with this Bill to get rid of certain difficulties. It is only for that limited purpose that this Bill is being brought. All the observations will become relevant—the law and order situation, the Judiciary, the Executive and other general questions of the kind will become relevant—when the Penal Code comes up.

MR. CHAIRMAN: Now, the question is:

[Mr. Chairman]

"That the Bill, as amended, be passed".

The motion was adopted.

17.4 hrs.

DISCUSSION RE. ANNUAL RAVAGES OF FLOODS IN VARIOUS PARTS OF THE COUNTRY—Contd.

MR. CHAIRMAN: Now, there are fifteen minutes left, and we have to resume the discussion on floods. Mr. Murugesan was on his legs, but he is not here. So, the next speaker is Shri Venkatasubbaiah.

SHRI P. VENKATASUBBAIAH (Nandyal): Mr. Chairman, Sir, I may not be mis-understood if I say certain whole truths about the manner in which this present Government has failed in its duty to take appropriate steps at the appropriate time. The soft-spoken, well-mannered Minister of Agriculture and Irrigation was compelled to abdicate his responsibility when most parts of the country are plunged in floods. He was in Dacca having parleys with the Bangladesh Government. Because of their inner party conflicts and fights, he was summoned, and he tendered his resignation; the whole Ministry was put in confusion. It is not only my opinion; it is the opinion of the supporter of this Government, Mr. Jyoti Basu, Chief Minister of West Bengal. It will not be irrelevant if I quote here what the Chief Minister of West Bengal has said:

"The Chief Minister (Shri Jyoti Basu) referred to the resignation of the Agriculture Minister, Mr. Surjit Singh Barnala, over the Akali-Nirankari issue and pointed out how it had adversely affected the flood relief work in his State.

"The West Bengal Government wanted some modifications in the food-for-work programme which Mr. Barnala was agreeable to. But then he resigned and there was no

one to get hold of in New Delhi to get the requisite orders passed. The officials could not also act and there was a ten-day delay', Mr. Basu said."

In such circumstances, ten-day delay makes all the difference; it aggravates the situation.

It is also reported:

"Mr. Basu regretted that the Prime Minister had not visited the flood-affected areas in his State. He had suggested a visit by him two or three times, but Mr. Desai had advanced one or the other excuse."

This is what the Chief Minister of West Bengal has said—about the dismal performance of this Government. And that State has been confronted with a natural calamity, a calamity of the worst magnitude in the living memory.

This Government takes credit and pats itself on its back by saying that this country has obtained record production. But they forget the fact that it was because of the several measures that had been undertaken by the then Government in the last 30 years that this country has come to the stage of record production in foodgrains. When they are prepared to take the bouquets, they must be prepared to take the brickbats also. Here, the ravage by floods has been unparalleled in the history of our country. There are several factors that go to show that this Government or the previous Government has not taken seriously this national calamity and tried to control the floods. In this country, fortunately, we are having mighty rivers like the Brahmaputra, the Ganga, the Yamuna, the Narmada, the Cauvery, the Krishna, the Godavari and the Mahanadi. If, in all these years, there had been a systematic programme of harnessing these rivers to the advantage of this country, perhaps much of this catastrophe could have been avoided. But we have been bogged down in several river water disputes; we could not settle those things. And, at the same time, there has been a systematic denudation of the forest

wealth of this country. The great Himalayas also have not been spared from the ravages of human-beings. The great Himalayas considered to be the repository of the nation's forest wealth, there, also we have this dismal picture of the forest wealth being systematically destroyed.

Whenever floods come, there will be a sort of ritual here; there will be a discussion in Parliament and some programmes will be put forward. Then we just forget about them. When the Janata Party came to power, Mr. Morarji Desai, the Prime Minister, said that there would be a garland canal connecting the Ganga with the Cauvery and also the Brahmaputra with the Ganga. I do not know where that scheme of the Prime Minister is. They even programmed to set apart Rs. 20,000 crores to take up this gigantic work. It will not only solve the flood problem, but will also solve the unemployment problem in the country and will also bring about national integration. But the Janata Party, as usual, are busy with their inner-party fights and they have no time to look to the national problems. And this scheme has been conveniently shelved. When these rivers are to be controlled, there should be some sort of a national policy and a broad national consensus has to be arrived at between various State Governments in order to evolve a formula that will benefit the entire country. Unless this is done, these floods will be a yearly occurrence and we will only be debating after the calamity is over.

Many millions of people have been rendered homeless. Lakhs and lakhs hectares of land have been flooded and valuable agricultural production lost. These are matters which this government has to take up very seriously. For instance, in the south, there is a proposal to link Godavari with Krishna. As a matter of fact there had been a broad agreement with the States concerned with regard to the sharing of the waters of Godavari. If that has been brought about, the south,

especially the concerned States of Maharashtra, Karnataka, Andhra Pradesh and Orissa will have the benefit of the maximum irrigation in that part of the country. With regard to these problems, when they have been sorted out, there should not be any delay on the part of this government to take a lead in the matter and settle these problems as expeditiously as possible. As I have already stated, on this point there should not be any political differences. This is a national problem where every State is involved and a broad consensus can be arrived at.

I may also bring to the notice of the hon. Irrigation Minister that when a particular part of the country is ravaged by floods, there is famine and pestilence in another part of the country because of the enormity of our country which is a sub-continent. Such areas, if they are served by a system of irrigation, then it will go a long way not only to prevent floods but also provide irrigation facilities to that vast area. In this connection, may I point out to the hon. Minister that there is a proposal of providing drinking water to the Madras city by taking waters from the Krishna river. In that process the famine-affected area of Rayalaseema in Andhra Pradesh can also get consequential benefits of diverting waters of Krishna for irrigation. The Andhra Pradesh government has made a proposal to this effect and it is now before the central government for its clearance. I would only appeal to the hon. Minister that he should give his attention to all these problems instead of again becoming a victim of their inner feuds and abdicating his responsibility to the nation.

MR. CHAIRMAN: Before I call the...

SHRI DINEN BHATTACHARYA (Serampore): How long will it continue, Sir?

MR. CHAIRMAN: That also the House will have to decide.

SHRI M. RAM GOPAL REDDY (Nizamabad): Last time, the Chair-

[Shri M. Ram Gopal Reddy]
man, Dr Sushila Nayar told me that
I would get the chance the next time.

SHRI DHIRENDRANATH BASU
(Katwa) : This is an important item.
Two hours more should be allotted to
this item.

PROF. DILIP CHAKRAVARTY
(Calcutta South) : In view of the im-
portance of the subject, it was raised
on the last occasion that there should
be a further extension of time and the
government also has agreed to it.
From the agenda paper it will be clear
that two hours more are allotted for
this. Now, it is up to the House and
up to the Chair to decide as to how
long should this item be extended?
(Interruptions)

बीधरी बलबीर सिंह (गणेशपुर) : दो घंटे
का टाइम हमने मान लिया है ना दो घंटे का टाइम
ही रहना चाहिए।

MR. CHAIRMAN : As regards the
quantum of time, it is better that we
fix. Now the maximum time that, I
think, can be allowed as per the
agreement should be two hours more.
Will that be O.K.? Whether it will be
taken up to-day or some other day, we
will go as per the time decided by the
Business Advisory Committee (Inter-
ruptions).

SHRI DINEN BHATTACHARYA :
Some matters must be spoken here. It
concerns the policy of the Govern-
ment. What is the given dis I--pe
ernment? Money is given as plan
advance. Then where will be the
Plan? By curtailing the plan money
if they are giving it as an aid, then
there is a change in the policy. Why
is there a change in it?

MR. CHAIRMAN : That is not the
point under discussion now. Is this the

desire of the House that this debate
should continue for two hours more?

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN : The time is
extended. Now I have to make an an-
nouncement to the House.

17.57 hrs.

INTIMATION RE. RESTRAINT AND RELEASE OF MEMBER

MR. CHAIRMAN : I have to inform
the House that the Speaker has receiv-
ed the following wireless message
dated the 27th Novembr, 1978, from
the Police Inspector, Police Station
Sadar, Nagpur:

"Shri Vasant Sathe, M.P., was re-
strained U/S 68-69 B.P. Act on
27-11-78 at 17.45 hours for trying to
take a morcha to Council Hall by
defying the prohibitory order. He
is released at 20.00 hours on
27-11-1978."

17.58 hrs

STATEMENT RE: ARREST OF A MINISTER OF BIHAR GOVERN- MENT AND A MEMBER OF PAR- LIAMENT IN BIHAR

MR. CHAIRMAN : Now, the Minis-
ter's statement.

SHRI P. VENKATASUBBAIAH :
May I know the Statement?

MR. CHAIRMAN : He will let you
know. Just hear his statement.

SHRI P. VENKATASUBBAIAH :
He said he would make the statement
tomorrow.

PROF. DILIP CHAKRAVARTY
(Calcutta South) : We would like him
to make the statement today,

MR. CHAIRMAN: A voluntary statement can be made by the Minister if he shortes.

SHRI M. RAM GOPAL REDDY (Nizamabad): Now there is only one minute to sit. (*Interruptions*)

MR. CHAIRMAN: You may go ahead.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Sir, according to information received from the State Government of Bihar, Shri Mohan Ram, Minister, Tourism, Government of Bihar and Shri Ram Bilas Paswan, M.P. (Lok Sabha) were arrested on 26-11-78 in connec-

tion with Sarairanjan Police Station Case No. 9 dated 26-11-78 under sections 147, 148 and 307 IPC. This case has been instituted in connection with the firing by the Security Guard of the Minister at Saleempur Booth No. (25) in Sarairanjan Assembly Constituency. The arrested persons were released on bail on the same date.

MR. CHAIRMAN: That is all. Now, the House stands adjourned till 11 A.M. tomorrow.

18.00 hrs.

The Lok Sabha then adjourned till 11 A.M. on Wednesday, November 29 1978/Agrahayana 8, 1900 (Saka).